

*Rowsell & Son*  
STATIONERS  
AND  
Account Book Manufacturers  
*31, CHEAPSIDE*  
LONDON.

HENRY ROWSELL,  
STATIONER,  
King St. TORONTO, U.C.  
Agent to  
*Rowsell & Son,*  
CHEAPSIDE, LONDON.







wf/w 32/6

Letters & Mem<sup>o</sup> re  
Council  
Kings College  
1843 - 1860

86, 96, 143, 157, 167, 177 - 219, 228, 231, 276,  
87, 151, 196, 196, 296, 304,



5 Ref



From  
J. M. Higginson Esq. Sir,  
Pro: Secy.

Concord House  
November 12<sup>th</sup> 1848.

I am directed to transmit  
herewith a Memorial from Dr. Sullivan  
which His Excellency the Chancellor desires  
may be laid before the College Council  
in order that the question of his salary  
may be reconsidered, with reference  
to the circumstances stated in that  
document, and in the communication  
of Dr. Widmer late member in the Council

I have &c

From  
C. Widmer Esq. My dear Sir

Signed, J. M. Higginson  
Concord 21<sup>st</sup> Nov: 1848

During the time I had a  
seat in the College Council the question  
of Dr. Sullivan's salary was the first  
that was discussed in arranging  
the subject of the Medical Faculty it  
was considered that the whole time  
of the Curator & Demonstrator would  
be occupied in his University duties  
& therefore that he would be completely  
debarred from pursuing private practice  
as a Physician.

The concurrence of the late Sir  
Charles Bagot in the suggestion I made  
that \$150 per annum for each office &c  
to the salary was readily yielded; and  
until lately no change in that amount  
was supposed to be contemplated. -  
Dr. Sullivan's labours have already  
been productive of the most essential  
benefits to the College Museum; and  
the continuance of his efforts in this  
department, added to the devotion of  
the whole of his time and energies  
as a teacher of Practical Anatomy in  
my estimation entitle him to the full



benefits of the income originally designed for him -

There are few men of the peculiar turn of mind and industrious habits specially required for the appointments he fills, to be met with, and I do honestly believe that in engaging the services of Mr. Sullivan the College has been as fortunate as the London College of Surgeons in obtaining a Gift as its first Conservator, surely there the influence that would tend to damp the ardour of so valuable a servant, is hardly exerted in regard to the welfare of the Institution, I will, however, entertain the hope that His Excellency the Governor & Council will reconsider the subject of this Gentleman's salary and that you will do me the favour to communicate my views to Sir Charles when Mr. Sullivan's Memorial is laid before His Excellency -  
To Capt. Higginson. Signed J. O. Widmer

Memorial  
of  
Mr. Sullivan

To His Excellency the Right  
Hon<sup>ble</sup> Sir Charles Theophilus  
Metcalf, Baronet, Captain  
General and Governor in Chief  
of the United Province of Canada  
Chancellor of the University of  
King's College &c &c &c

The Memorial of Henry Sullivan of the  
City of Toronto Member of the Royal College  
of Surgeons London -  
Humbly Sheweth,

That your Memorialist has  
been informed that certain Statutes  
of the University of N. C. have been  
forwarded for your Excellency's con-  
firmation



Memorial  
of  
Dr. Sullivan.

confirmation in which a change in the salary of your Memorialist is contemplated.

That your Memorialist cannot but consider that this change is unjust towards him in support of which your Memorialist humbly begs leave to lay before your Excellency the following grounds for such an opinion, and also to refer your Excellency to the annexed letter addressed by Dr. Widmer to your Excellency's Private Secretary.

That your Memorialist previous to his acceptance of the Offices of Curator of the Pathological Museum and Demonstrator of Anatomy in the University of T.C. had been informed by Dr. Widmer then a Member of the College Council expressly appointed (as your Memorialist believes) for the purpose of attending to the Medical Interests of the University that he Dr. Widmer would recommend the sum of £150 - per annum as the salary of each of the above Offices, & trusting that no alteration would be made in so moderate an allowance recommended by one who well knew the duties appertaining to those Offices. Your Memorialist accepted of the Offices and entirely gave up his private practice devoting the whole of his time to the business of the University, and moreover the late lamented Chancellor of the University having expressed his entire concurrence in the recommendation of Dr. Widmer



Your Memorialist has naturally been  
 led to believe from the time of his  
 appointment up to the passing of  
 the Statute above referred to that  
 he would receive the sum of £300  
 per annum.

That your Memorialist  
 having retired from his private  
 practice for a considerable length  
 of time cannot now resume it  
 except under very great disadvan-  
 tages.

Your Memorialist therefore  
 humbly prays that your Excellency  
 will be pleased to take his case  
 into your Excellency's most gracious  
 and be pleased to afford him such  
 relief in the circumstances as  
 to your Excellency may seem fit &  
 proper. And your Memorialist  
 will ever pray &c  
 Toronto. Signed Henry Sullivan  
 4<sup>th</sup> Dec<sup>r</sup> 1843.

To  
 J. M. Higginson Esq.  
 Privy Secy

H. C. O. Toronto

28<sup>th</sup> December /43

Enclosing the Minutes of Council of  
 the 21<sup>st</sup> Instant

Do

Do

Do Do 27<sup>th</sup> and 30<sup>th</sup> Dec<sup>r</sup>

H. C. O. T.

4<sup>th</sup> January 1844

To  
 J. M. Higginson Esq. Sir

H. C. O. Toronto

4<sup>th</sup> January 1844

The Memorial of W<sup>th</sup> Henry Sullivan  
 for a reconsideration of his salary  
 which you transmitted to me in your  
 letter of the 12<sup>th</sup> Ult<sup>a</sup> was read in the  
 Council of Kings College on the 27<sup>th</sup> Ult<sup>a</sup>  
 and I have the honor of enclosing to you



To the minute made thereon by the Council  
 J. M. Hyginson Esq. for the purpose of its being submitted to  
 the special notice of His Excellency  
 I return enclosed W<sup>th</sup> Sullivan's  
 Memorial - I have the honor &c  
 signed H. Boys.

From Sir W. C. C. January 2<sup>nd</sup> 1844  
 Rev<sup>d</sup> H. Scadding  
 I have recently received a letter  
 from the Rev<sup>d</sup> Charles Matthews from which  
 I copy the following extract: "I ought  
 not to forget to mention that if my salary  
 be allowed to the date of my resignation or  
 its arrival in Canada a sum not less  
 than £120 will be due to me from the  
 College & W<sup>th</sup> Boys will no doubt discharge  
 it upon your application with this autho-  
 rity if he has not done so already"

would you have the kindness to  
 lay this letter before the Council at your  
 earliest convenience as I am desirous by  
 Mr Matthews to remit to him the amount  
 whatever it may be by the next post.

I am &c

To Sir H. C. O. T. 2<sup>nd</sup> Jan<sup>y</sup> 44  
 J. M. Hyginson Esq.  
 Enclosing an extract from the  
 minutes of the 2<sup>nd</sup> Inst relating to the  
 above letter from Rev<sup>d</sup> H. Scadding —

To Sir, H. C. O. T. 10<sup>th</sup> Jan<sup>y</sup> 1844.  
 The Hon<sup>ble</sup> J. B. Robinson,  
 Chief Justice, I have the honor by directions of the Council of this  
 College to enclose to you for the consideration of the Hon<sup>ble</sup>  
 the Judges of the Court of Queen's Bench, two Statutes proposed  
 to the College Council by His Excellency the Chancellor & passed  
 by the 10<sup>th</sup> 11<sup>th</sup> Chapters proposed by the Chancellor on the  
 10<sup>th</sup> Nov<sup>r</sup> 1843. see C. M. B. p. 42 & adopted by that body, being chapters X & XI of the Statute,  
 passed & adopted 18 Nov<sup>r</sup> 1843. of this University.  
 see C. M. B. p. 50 —

I have the honor, &c

H. Boys, Registrar, H. C.



To  
S. M. Higginson  
Priv. Secy

Mem. Feb<sup>y</sup> - 1844  
Enclosing the Minutes of the Council of K.C.  
at their meetings on the 31<sup>st</sup> of January  
and 3<sup>rd</sup> of February

No.

Mem. March 1844.  
Sent to S. M. Higginson Esq. the Minutes  
of Council of the two meetings on the 13<sup>th</sup>  
and 17<sup>th</sup> of March.

From  
Hon<sup>ble</sup> Robt. Baldwin Esq.

Lawrence Office  
February 12<sup>th</sup> 1844.

I am directed by the Benchers  
of the Law Society in Convocation, to  
address you on the subject of a conversation  
held by you in June last with Mr.  
W. Trape, then Treasurer of the Society  
relative to the removal of the Courts  
of Justice to Regent's Hall with a  
view to the accommodation of the Bench  
and of the Public Buildings on the  
University.

The Law Society beg to inform  
the College Council that they are now  
prepared to carry this proposition into  
effect and are now desirous of knowing  
the wishes of the Council on the subject and  
whether they intend moving the Court  
Government in relation thereto.

I have the honor  
to be, Sir, your obedient servant  
Wm. B. Lawrence  
Treasurer of the Law Society

To  
The Hon<sup>ble</sup> Robt. Baldwin Esq.  
Council of the Law Society

K.C.V.C. 2<sup>nd</sup> March 1844.

I am directed by the Council  
of Kings College to acknowledge the receipt



7  
of your letter of February 12<sup>th</sup> and in  
reply to inform you, that an application  
was some time made to His Excellency  
the Governor General relative to the  
appropriation of the east wing of the  
Public Buildings for the purposes of  
the University; and that His Excellency  
was pleased to accede to that application.  
And I perceive the case of it, as soon as  
it shall be created.

I have &c &c  
Signed H. Boy.

J. M. Higginson Esq.  
Pres. Secy.  
Memorandum. 2<sup>nd</sup> March 1844 -  
Sent the Minutes of Council  
of 28<sup>th</sup> February 1844.

To  
Honble. Secy.  
Pres. Secy.  
Sir.  
H. C. O. Toronto 11<sup>th</sup> Mar: 44.  
Referring to your letter of the 5<sup>th</sup>  
December last allow me to enquire whether  
the Legislature before their Prorogation passed  
the vote for the annual allowance of  
£1000. 14 for H. C. College for the year 1842.  
If it did so you would oblige the College  
Council, by moving his Excellency to grant  
a warrant for its issue.  
Signed H. Boy.

To  
J. M. Higginson Esq.  
Pres. Secy.  
Mem. 16<sup>th</sup> March 1844.  
Sent the Minutes of Council of the  
14<sup>th</sup> Instant.

To  
J. W. Benson Esq.  
Pres. U.C.C.  
H. C. O. T.  
16<sup>th</sup> March 1844.  
I have the honor to enclose  
to you a copy of the 5<sup>th</sup> Minute of the  
Proceedings of the C. of H. C. at their meeting  
held on the 14<sup>th</sup> Instant and have to request  
that you will issue such instructions.







1,300. 0. 0  
1,600. 0. 0

1600. 0. 0

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in receipt as directed.

enclose the usual certificate of judgment

Am. Soc. Sci.

Approved: Thos. C. Bidwell.

Admiral.

Copy of Certificate referred to, in the foregoing.  
This is to Certify that the Council of King's College  
has this day paid in the Bank of Upper Canada  
in the hands of Dr Henry Boys Bursar of King's  
College the following Disbursements amounting to  
the sum of One thousand nine hundred Pounds  
for management on account of that Corporation, viz;

Debit	Service	When redeemable	When payable	Int. at 6% per an.	Am't of Debit		
269	City of Toronto	15 May 1859	1 <sup>st</sup> June 1 <sup>st</sup> July		300		
1	London District						
	Gail Fund	31 <sup>st</sup> Dec <sup>r</sup> 1844	30 <sup>th</sup> June 31 <sup>st</sup> Dec <sup>r</sup>		100		
2	d <sup>o</sup>	" — " — "	" — " — "		100		
3	d <sup>o</sup>	" — " — "	" — " — "		100		
4	d <sup>o</sup>	" — " — "	" — " — "		100		
5	d <sup>o</sup>	" — " — "	" — " — "		100		
6	d <sup>o</sup>	" — " — "	" — " — "		100		
7	d <sup>o</sup>	" — " — "	" — " — "		100		
8	d <sup>o</sup>	" — " — "	" — " — "		100		
9	d <sup>o</sup>	" — " — "	" — " — "		100		
10	d <sup>o</sup>	" — " — "	" — " — "		100		
11	d <sup>o</sup>	" — " — "	" — " — "		100		
12	d <sup>o</sup>	" — " — "	" — " — "		100		
13	d <sup>o</sup>	" — " — "	" — " — "		100		
14	d <sup>o</sup>	" — " — "	" — " — "		100		
15	d <sup>o</sup>	" — " — "	" — " — "		100		
16	d <sup>o</sup>	" — " — "	" — " — "		100		
		Signed Thos G. Mendenhall,			£ 1900		
		Clerk					



These observations on the objection  
to New reg. &c. being now & then made in  
writing in documents have been so that  
read in Council on 31<sup>st</sup> April 1844.

[illegible]



Contrast in not paying his interest & <sup>the</sup>  
and in fact not paying any interest <sup>what</sup>  
for some time he came into possession  
of some other thing. I was credibly informed  
that he had himself since told me he  
was receiving \$40. a year as a promised  
payout for the American Republic in  
his lifetime nearly £100. - I had  
also in 1842 sent him a balanced account  
calling upon him for a settlement &  
showing that since sent - Mr. Hawley  
to him for the same purpose. When  
I spoke to him a few months back about  
the matter off till he should receive his  
money as proposed and on a former  
occasion when I spoke to him, I remember  
telling him he might settle the account  
by a note of hand. Therefore there could  
be no reason for dealing with Dr. Brown  
in a different manner from the  
unusually I settled with him in the  
following manner - I debited him  
with the Balance of the account sent to  
him in 1842 amounting £274-1-5. Since then  
consisted of £100 00 remaining due of  
his purchase in 1842 and £85-1-5  
Simple interest thereon to the 1st of January  
of that year, as he did not come to settle  
in 1843. Debited his account with <sup>above mentioned</sup>  
years interest on the Balance of the <sup>above mentioned</sup> exceeding  
years which made indebted £270-10-3 &  
this sum I carried on as a balance  
to the next year - On the 10th of January 1844.  
as he had not come forward to settle I  
debited his account with a year's interest  
on the balance of the above mentioned years which  
sum made indebted £277-10-3 - To be  
settled on or before the 1st of March 1844  
which he paid on the 1st of March 1844.



12.  
on account of his balance But - his receipt  
inserted in his receipt that it was for  
interest on his account - what I have  
now appeared so anxious to do  
is to get that receipt in a form  
and position so would not be so as to  
objection to it - The Council must perceive  
the great advantage he has received by  
keeping these moneys in his hands for  
years, for what gain of which he is  
the Council may get in full Equity -  
his interest - I will not venture to judge  
of the regularity of what I have done - I am  
sure what I thought reasonable for  
the interest of the Institution - I am  
convinced without doubting that  
things to this full equitable system.  
And the fact to which Dr. Gwynne  
takes exception I have done on the  
principles on which merchants and  
bankers in England keep their accounts

Whatever opinion may be formed  
of the manner in which I have treated  
Dr. Gwynne's case and the cases of others  
in arrears - the Institution cannot sub-  
mit to the loss of the money it ought  
to derive from its revenues - and we  
must either enforce the laws or  
of immediately asking for the whole  
them or move some measure of liquidat-  
ion of the same in a meeting for  
settling interest -

Yours &c. &c.  
James H. W.



the minutes of the Council on  
the 10th of August of last year  
(read in Council on 24th March  
1894) regarding the same in which  
the acct and line settled -  
read in Council 25th June 1894

The Report in so far as it relates to the  
Accounts discussed by the Council and the  
Institution is irrelevant. The Treasurer  
was required to report on the General  
Practice in his office and not as to his  
motives for the exercise of partiality or  
favoritism towards individuals.

On the merits of the report it may be  
observed first that the Charge of  
compounded interest is illegal in the  
Circumstances - It is not pretended  
that the amounts in which the Charge  
occurs were what are called technically  
settled amounts - that is amounts  
settled between the Parties at stated  
periods, and interest charged from the  
date of each settlement - where notes  
of hand have been given - Interest has  
properly been charged upon them but  
where accounts have remained un-  
settled the Charge of Interest is illegal  
and the Institution is then subject  
to the Charge & placed in the position of  
making illegal demands & to supply  
deficiencies caused by temerity in  
not collecting debts legally and justly  
incurred -

One - That the Arbitrary Power assumed  
by the Treasurer in charging interest on  
unsettled accounts is illegal, unauthorized  
and injurious to the interests of the  
Students of the University - The Treasurer's



Office is Ministerial not Discretionary  
and should be confined to such  
transactions as fall strictly within his  
duties as an Officer of the Council -

If the Charge of Compromised  
Interest had been legal it was his  
duty to have made it without regard  
to practice and the exhibition of Per-  
-stabilis manifested in his report was  
improper and unauthorized -

The exercise of this Discretionary  
power would deprive the Council of  
an important and valuable check on  
the Bureau's accounts inasmuch as if  
the compromising claims be left  
with him it becomes impossible to  
test either the value of his Discretionary  
operations or the correctness of his  
transactions and statements -

June 29<sup>th</sup> 1844.

J. B. Higginson Esq. enclosing the Minutes of Council  
held on the 28<sup>th</sup> Instant

June 29<sup>th</sup> 1844

Enclosing 8<sup>th</sup> 11 of Minutes of Council  
held on 28<sup>th</sup> Instant -

H. C. O. J. occurs  
29<sup>th</sup> June 1844.

The Chairman of  
the Committee -  
I have the honor of trans-  
-mitted of the Medical Meeting are a part from the Minutes  
of the proceedings of the Council of  
H.C. at their Meeting held on the 28<sup>th</sup>  
Instant with a Copy of the Proposal  
of the T.P. for obtaining the use of  
the Santa Hospital for the University  
which Proposal is referred by the Council  
to the Committee of which you are  
the Chairman - Signed H. W. J.



H.C.C.T. 3<sup>rd</sup> July 1844.

Mr. Diggins. Sent the Minutes of the Councils held on the 1<sup>st</sup> and 3<sup>rd</sup> Exams.

From my Lord President  
 Mr. Diggins and Gentlemen. Carrots  
 January 29<sup>th</sup> 1844.

It is with extreme reluctance and the most mature consideration that I am at length compelled respectfully to address you on a subject which for some years has been a source of deep distress and discouragement to myself and of considerable detriment to the institution of H.C. College especially as I perceive (contrary to my expectation and much to my dismay) no prospect of its discontinuance. I mean the very inefficient manner in which the Mathematical part of the Examination for exhibitions, has been invariably conducted, and to render the matter as palpable as possible I will beg leave to submit the following Statements —

- (1) I would beg leave to observe that according to the Established System the pupils of the Institution have the advantage of Classical Instruction in the preparatory, first, second, third and fourth forms before they become candidates for exhibitions, a period generally I believe of about four years and that they are in the habit of attending their Classical Instructions about 8 times in the course of the week.
- 2 That they do not attend the Mathematical Master until they reach the fourth form.
- 3 That it has been my painful duty



during the three last years of the Administrations of the late Principal, privately to state to him that from the exceedingly imperfect manner in which the members of the fourth form were prepared for the Mathematical Department - it was found necessary with the exception of one or two individuals to confine their attention exclusively to Arithmetic for the first quarter of that single year at the close of which they have been expected to be capable as Candidates for exhibitions. Now it is a striking fact that the Professor of Mathematics in the London University in his excellent little work on the Study of Analysis uses these remarkable words - "The great drawback to the proper attainment of this Science is the miserable previous instruction in Arithmetic, when this defect is remedied and not till then can we expect any better Results."

4 That the vacation occupying upon the average 3 months in the year there has remained but six months or about twenty four weeks for this arduous task.

5 That the fourth form, from which so much is expected has hitherto attended but three lessons in the week on the Mathematical Master and an interval of 4 days between two of these lessons and that they thus devote  $4\frac{1}{4}$  hours only a week to a subject so new, so arduous to beginners not to mention the paucity of subjects expected of them in other Departments -

6) That the subjects proposed involve the first books of Euclid's Elements of Geometry and Algebra to Simple Equations.



comprehending rules for addition subtraction, Multiplication, and Division, with examples, the treatment of Fractions, Involution Evolution and Simple Equation.

7 That the attention of the Master is not exclusively confined during this short interval of time 120 hours in a year to the Candidates for Exhibition only but to the entire form.

8 That it is next to impossible to devote much of this limited period to any other Branches of the Study than those contained in the works constituting the text books of the Institution and that it is a most distressing and discouraging circumstance both to teacher and Pupil when nothing is presented to them during an examination which might be mastered, even by the most devoted attention to the works in use.

9 That I am not aware of one single proposition having been made from the first book of Euclid's Elements in the Course of the last examination nor of a single Question presented to them considered which was not selected from the notes of an Irish Edition used I believe by the Dublin College known to few Englishmen and constituting what I believe are there termed Recensibles.

10 That I had devoted myself with the utmost intensity under the most unfavorable circumstances to the trying task and having been engaged in these studies for about five and twenty years I trust I may be believed when



Saying that some or five pupils of the fourth  
 grade were perfectly masters of the first  
 Book of Euclid's Elements, and that at  
 the Christmas examination the Principal  
 expressed his appreciation at the manner  
 in which the boys acquitted themselves.

11 That in the Algebraical part of  
 the examination, all general rules  
most reductions of complicated algebra-  
ical expressions involution & evolution  
processes of the utmost importance  
in the higher branches and requiring  
much toil and time, were entirely  
excluded - and equations were introduced  
generally involving unduly perplexing  
to beginners who had scarcely had the  
opportunity of entering on them at all.  
 (for want of time) But greater to the ad-  
 vantage of such competitors as having  
 had the advantage of three or four years  
private individual instruction would  
 naturally be competent to take advantage  
 of them.

12 That it requires considerable  
 experience of the difficulties and the  
 amount of time devoted to the particular  
 portions of the respective subjects, not to  
 say an intimate knowledge of the contents  
 of the text-books selected to do justice to the  
 Pupil and more particularly to the teacher  
 and that the late principal of U. C. College  
 not having been in the habit of paying  
 the remotest attention to the Mathematical  
 Department cannot possibly possess  
 the experience requisite for doing  
 justice either to teacher or Pupils.

13 Though not directly connected  
 with the present subject I beg for  
 my own credit sake to state that



19. from some change in the day origi-  
nally named for the examination the  
leading boy of the fourth form was  
unfortunately absent that he has  
continued to keep the lead among  
the successful candidates and  
that no pupil as far as I am  
aware was allowed the advantage  
of one hour's private instruction (with  
one exception).

14) That although most dis-  
inclined to make envious compa-  
risons, it however becomes my duty  
to state that the Revd Mr Palmer  
travell'd to Toronto between two and  
three years since at the period of the  
first examination for exhibitions -  
with a view to enter his son as a  
Candidate - but finding as he expressed  
himself that the youth (altho so well  
prepared that he had he believed a  
good chance of success) was however  
backward in some portion of the  
Classical Division of the subjects he  
would postpone the matter: and it must  
be remembered that this youth has  
thus had the advantage of a Parents  
superintendence years before his present  
competitors commenced their Mathemat-  
ical studies, but that under all these  
disadvantages I should have feared  
nothing had the examination been  
conducted in a manner at all suited  
to the inexperience, the unavoidable inex-  
perience of the Candidates from U.C.C.  
or in keeping with the subjects proposed  
and the text books in general use.

I beg to conclude my most  
respectfully yet most earnestly



entertaining that the Professor of Mathematics  
in Kings College University be requested  
kindly to undertake the Mathematical  
division of the Examination for exhibiting  
in U.C. College for the time to come and  
Remain My friend and Gentleman &c &c  
Signed Geo Maynard.

15 July 1844. Communication to the Visitors, entered by mistake in General letter Book p. 323.

20  
To  
Mr Barrett Esq. Sir  
2nd English Mads.  
U.C.  
I have the honor to submit  
for your information the 2nd Minute  
of the Proceedings of the Council of  
Kings College at a meeting held on  
the 17th Instant and have the honor  
&c &c  
Signed H. Byg.

From  
J. M. Higginson Esq. Sir  
Priv. Secy  
Private Secretary's Office  
Montreal 3rd September  
I am directed to state for the in-  
formation of the Council of Kings College  
University that His Excellency the Chancellor  
is pleased to appoint - Fredk Wm Barron Esq.  
to be Principal of Upper Canada College  
and to nominate the Rev Henry Scadding  
M.A. to be first Clerical Master and  
the Rev Wm Ripley B.A. to be second  
Clerical Master, to fill the vacancies  
consequent on Mr Barron's promotion.  
to Hon Secy.  
Signed J. M. Higginson

To  
J. M. Higginson Esq. Secy. the Minutes of the Proceedings of Council  
on the 30th Sept. 44.

From  
J. M. Higginson Esq. Sir  
Priv. Secy's Office  
Montreal 25th Sept. 44.  
I have the honor by Command of the  
Chancellor to state for the information of the







To  
J. M. Higginson Esq  
Peri Lett.

K. C. O. Toronto  
18<sup>th</sup> October 1844.

Enclosing the Minutes of the meeting of  
Council held on the 8<sup>th</sup> Instant.

Memorandum, 18<sup>th</sup> Oct<sup>r</sup> 1844. The following three  
Resolutions of the Medical Faculty were submitted to  
the College Council at a meeting held on the 8<sup>th</sup> Instant.

see Council Minutes  
Book, Vol. III. p. 170.

N<sup>o</sup> 1.

Moved by Dr King, seconded by Dr Beaumont - that it be  
resolved that the fees for Hospital attendance be as  
follows for the present year, viz; including Clinical  
lectures on Medicine & Surgery.

For 6 months \_\_\_\_\_ £ 6 .. 0 .. 0

For 12 Months \_\_\_\_\_ £ 10 .. 0 .. 0

N<sup>o</sup> 2.

Moved by Dr King, seconded by Dr Nicol - that all morbid  
specimens occurring in the practice of the University wards  
of the Hospital & in the dissecting rooms of the institution  
shall be considered the property of the University, provided  
that any loss suffered by the Students thereby shall be  
made up.

N<sup>o</sup> 3.

Resolved - that in as much as the receiving & distributing  
of Subjects for the use of the Students is a duty which does  
not legitimately devolve upon any Professor of the  
University, that the Council be recommended to employ  
some person to perform that duty & that compensation  
be allowed him for the same.

Proposed by Dr Gwynne, seconded by Dr Beaumont.

To  
J. M. Higginson  
Peri Lett.

K. C. O. Toronto  
31<sup>st</sup> October 1844.

Enclosing the Minutes of Council  
meeting held on the 1<sup>st</sup> 1<sup>st</sup> 1<sup>st</sup>  
Inst.



To  
J. M. Higginson Esq  
Private Sec<sup>y</sup>.

Mem<sup>o</sup>: 29<sup>th</sup> Nov: 1844. Sent Mr Higginson the  
Minutes of the Council held on the 30<sup>th</sup> Oct<sup>r</sup>  
Also Minute N<sup>o</sup>: 11, for the Chancellor's special consideration

From  
W. H. Dwyer Esq

To

Nov: 25<sup>th</sup> 1844.

I have the honor to acknowledge  
the receipt of your letter of the 12<sup>th</sup> inst. and  
requiring my opinion on the mode in which  
Interest may be charged and collected at law  
on Instalments of Purchase money of Lands  
Sold by Kings College on Credit -

In the absence of any other  
than the usual agreement between the  
Vendor and Purchaser to pay the instal-  
ments with interest. I do not think the matter  
the subject of Commissions or orders of Surors  
the Principal and Charging Interest should  
be although in Merchant's account books  
for instalment transactions, should be  
understood differently, Interest has been  
usually obtained on the usual  
Bills of Exchange. This rests upon  
Custom or upon an agreement implied  
from a tacit acquiescence in such mode  
of making up accounts. I do not think  
the principle here can be justly applied  
as applicable in cases between Vendor  
and Purchaser of Real Estate.

But as the interest when in arrears  
is not paid, the Vendor has a  
right to recover his principal and to  
apply General Principles to the interest  
in arrears to the instalment  
and as the account transmitted to me  
the Commission generally made should be  
applied to the interest first and the  
balance only in liquidation of the principal.

I have  
Signed W. H. Dwyer



Wm. L. P. D. D. - between  
 & my college

On the 1st of July 1829.  
 Dr. G. G. became the purchaser of lot 40 1/2 (corner Street, Block 8 in the City of Boston for the sum of £210 - and paid at the time of purchase £21 - leaving a balance of 189. due the college which was to be paid in nine years with interest payable three half years on the second of October 1834. Dr. G. G. paid in the sum of £50. 14. being for 15 years interest to the 11th July then next, from that date no further payments appeared to have been made upon the expiration of the nine years at which time a statement of account was made out between the parties showing a balance due the College of £274 1-5 which amount included £81 1-5 for interest on £189. computed in the usual manner, after that period the sum has continued (I presume) without any account on the part of Dr. G. G. to be a course as there have not appeared to have been any amount tendered up to 1842 to liquidate the interest on the balance due & any the amount of Principal and interest to the debit side of Dr. G. G.'s account, or in other words has made annual rent, thereby charging Dr. G. G. Compound interest.

On the second of April 1844. Dr. G. G. being then furnished with his account made out paid to the Treasurer £118. 18 10 in full of the interest up to that date and in doing so stated that he objected to being charged interest upon interest, but did not say in words that he objected to being charged interest upon interest as I gather from the paper



relating to the transaction.

The question now submitted for my consideration is - whether at Law a<sup>th</sup> foregone or other parties could be compelled in case of refusal to pay the interest computed in this manner.

I am of opinion that nothing can be clearer than that after giving up the account in 1842. Showing the Balance of \$274-1-5 and payment suspended - the Sum was perfectly implied a complete discharge from the account on that date the amount having after that time become Principal, and not the longer to be deemed as principal and interest - but as regards the subsequent interest I do not consider that such a mode of accumulating it (that is by tests) would be allowed in any way the Court of parties, express or implied. Such for instance as are accounts having been furnished annually - having such a power of dealing with the claim of D<sup>r</sup> purpose not objecting, if it would the Institution would be in a better position than by taking a note Charging Interest which Interest could only be calculated on the amount of the note - I therefore think that simple interest only should have been charged on the sum of \$274-1-5 - especially as D<sup>r</sup> purpose had a right to presume that such a course would be pursued in having been charged in that manner in the account furnished in January 1842. I do not consider however that there is anything illegal in such a mode of charging interest - it is doubtful if any case is the case of its being carried



before them would allow it, and I suppose  
 having paid the amount with a  
 perfect knowledge of all the facts, is not  
 now in a position to obtain any portion  
 of it back except through the power of  
 the Council - But I receive the weight  
 or weight of this interest by the  
 Council is a matter of very little impor-  
 tance so far as this instance of Dr. Gwynne  
 is concerned, but when the principle  
 is applied to money transactions of  
 the Institution generally it becomes a  
 matter of serious consideration and  
 upon that point I would surely say  
 that I would hesitate to attempt the  
 enforcing of a demand so constituted  
 but would recommend that in future  
 individuals should have their amounts  
 furnished them annually or semi-  
 annually, carrying the interest into their  
 amount as principal each year or half  
 year as the Comtee might see fit in the same  
 manner as is done by Ministers &  
 Prebends for there can be no question  
 that the interest of such persons does  
 as it falls due ought to be paid into the  
 hands of the Treasurer who could then  
 invest the amount in such a manner  
 as to produce an increase of the funds  
 of the Institution

Signed J. T. Smith.

Nov 26 Dec 24.

Documents returned	Nov 26	44.
A minute of the Council of the 20 <sup>th</sup> April 44.	marked	4.
" " " 24 " " "	"	13
A copy of Dr. Gwynne's book	"	6
" " " " Observations	"	2
And a copy of Dr. Gwynne's Observation	"	
on the Treasurer's Report	"	2



My Lord and Gentlemen

110 Toronto 3<sup>rd</sup> Dec<sup>r</sup> 1864

My Lord and Gentlemen

My Lord and Gentlemen

My Lord and Gentlemen

My Lord and Gentlemen

I have the honor to acknowledge the receipt of your letter of the 27<sup>th</sup> ult. and to request your opinion on the matter it refers to as early as may suit your convenience. I enclose a copy of a letter from the Dean of the Newcastle District, which I have read to the Council, and a copy of a letter since received from the Commissioner of Crown Lands on the same subject.

I am to be sure that the disposal of these lands to Kings College is desired -

Yours in Deeds on the 11<sup>th</sup> Dec<sup>r</sup> 1864

Yours in Deeds on the 11<sup>th</sup> Dec<sup>r</sup> 1864

4<sup>th</sup> Dec<sup>r</sup> 1864

16<sup>th</sup> Dec<sup>r</sup> 1864

Yours in Deeds on the 11<sup>th</sup> Dec<sup>r</sup> 1864

Yours in Deeds on the 11<sup>th</sup> Dec<sup>r</sup> 1864

To  
Mr Higginson

Memorandum 14<sup>th</sup> Dec<sup>r</sup> 1864. Sent the Minutes of Council of 27<sup>th</sup> Ult<sup>r</sup> with Diagram of the Property at Port Hope now offered for sale

From  
Dr Henry Sullivan

My Lord and Gentlemen Kings College, Dec<sup>r</sup> 14<sup>th</sup> 1864.

It is with extreme reluctance that I feel myself obliged to lay before you a request to be permitted to leave the apartments which I now occupy and to be granted the usual allowance for House rent.

I am induced to adopt this course from being subjected to many annoyances by living in the same house with Mr Powell.

As I do not wish to make any complaints further than may be necessary to justify my application I have put Professor Croft in possession of the facts, from whom the Council can obtain such information as may be



required for that purpose.

To the Hon<sup>ble</sup> I have seen

the Council of King's College. (signed) Henry Sullivan, Prof. Pract. Anat.

To Memorandum 27<sup>th</sup> Dec<sup>r</sup>. 1844. sent to Mr Higginson the  
Mr Secretary Higginson minutes of Council of the 5<sup>th</sup> & 23<sup>rd</sup> Instants

To Memorandum, 30<sup>th</sup> Dec<sup>r</sup>. 1844. sent to an Extract from  
the Hon<sup>ble</sup> Chief the Minutes of Council of 27<sup>th</sup> Dec<sup>r</sup>. being the latter part  
Justice Robinson (the President's Motion) for Minute N<sup>o</sup> 3 of that day's proceedings

To Memorandum, 30<sup>th</sup> Dec<sup>r</sup>. 1844. sent to Dr Sullivan an Extract  
Prof<sup>r</sup> Sullivan from the Minutes of Council of 27 Dec<sup>r</sup>. being the whole  
of Minute N<sup>o</sup> 6.

To Sir, H. C. C. T. 26<sup>th</sup> Jan<sup>y</sup> 1845

J. M. Higginson Esq<sup>r</sup>  
Priv<sup>y</sup> Sec<sup>y</sup> &c

I have the honor to ~~send~~<sup>send</sup> you herewith the  
Minutes of the proceedings of the Council of King's  
College at a meeting held on ~~Wednesday~~<sup>Friday</sup> the 26<sup>th</sup> Instants  
for the purpose of their being submitted for the information  
of His Excellency the Governor General, Chancellor of  
this University.

I beg to point out that the 5<sup>th</sup> Minute of these  
proceedings gives answer to your letter of the 3<sup>rd</sup> Ult<sup>o</sup>.  
In a few days, when his Lordship the President returns,  
who is at present absent from Toronto, an answer will  
be sent to your letter of the 15<sup>th</sup> Ult<sup>o</sup>. The Returns relative  
to it are before the Council as you will perceive by the  
6<sup>th</sup> of these Minutes.

I have &c.

(signed) W. Boys, Reg<sup>r</sup>. R. C.

To Memorandum 3<sup>rd</sup> Feb<sup>r</sup>. 1845. sent to Mr Higginson the  
Mr Higginson Minutes of Council of the 29<sup>th</sup> Jan<sup>y</sup> & 1<sup>st</sup> February. 1845.

To Memorandum, 19<sup>th</sup> Feb<sup>r</sup>. 1845. sent to Mr Higginson the  
Mr Higginson Minutes of Council of the 14<sup>th</sup> February, 1845.



To  
Mr Higginson

Memorandum, 19<sup>th</sup> Feb<sup>r</sup> 1845. Sent the following letter to  
Mr Higginson

Sir, H. C. O. Toronto, 19<sup>th</sup> Feb<sup>r</sup> 1845.

I have the honor in answer to your letter of the 15<sup>th</sup> Dec<sup>r</sup> last, & in satisfaction of the notice therein contained, to enclose to you six Returns, which are, for this purpose, passed & adopted by the College Council at their meeting held the day before yesterday.

I have, &c., W. B. Registrar, H. C.

To  
Mr Higginson.

Sir, H. C. O. Toronto 19 Feb<sup>r</sup> 1845.

Having discovered an error in the statement lettered A, which accompanied Minute N<sup>o</sup> 5 of the proceedings of the Council of King's College of the 24<sup>th</sup> Ult<sup>o</sup> transmitted to you in my letter of the 26<sup>th</sup> Ult<sup>o</sup>; I have the honor to enclose you a correct statement, with the same reference, which I request you will have the kindness to substitute for the erroneous one.

I have the honor, &c.

W. B. Registrar, H. C.

To  
T. G. Ridout Esq.

Sir, H. C. O. February 20<sup>th</sup> 1845.

I have to request that you will purchase for Cashiers of the H. C. this Institution, Public Debentures to the amount of £2000, & charge the same to the account of the Council of King's College.

I have &c. - W. B. Burras, H. C.

From  
Thos. G. Ridout Esq. Sir

Bank of Upper Canada.  
Toronto 24<sup>th</sup> Feb<sup>r</sup> 1845

As requested in your letter of the 22<sup>nd</sup> Instant I beg to inform you that I have purchased for amount of the Council of King's College the following Debentures, viz

£800 Benjamin Canal - £2000

And I have charged the amount in the sum of £2031 - 5 6<sup>d</sup> &c per Particulars at foot I also enclose deposit receipt for the same -



N<sup>o</sup> 6 Heyjardin Canal \$ 2000 ---

80 Days Int. at 5% 25-00-

Agency 1/4 % on \$2000 5-00-

\$ 2031-00-

I am &c

Yours J. G. Ridout

Cashier

I hereby certify that the undermentioned  
Debenture is held by this Bank for  
account of the Council of King's College  
for safe keeping and for the collection  
of interest thereon -

N<sup>o</sup> 6 Heyjardin Canal \$ 2000.

Interest payable half yearly on the 5<sup>th</sup>  
of November and 5<sup>th</sup> of June at the rate  
of 5 per cent per annum -

Bank of Upper Canada

Toronto 24<sup>th</sup> Feb<sup>y</sup> 1845.

Yours J. G. Ridout

Cashier

WB - The above N<sup>o</sup> 6 was issued by the  
Provincial Government on the 6<sup>th</sup> June  
1835 and is redeemable on the 6<sup>th</sup> June  
1845. - J. G. R.

To

Henry Sullivan Esq. Sir,

No. C. O. Toronto

21<sup>st</sup> Feb<sup>y</sup> 1845.

I have the honor to inform you that  
your letter of the 3<sup>rd</sup> Instant was sub-  
mitted to the College Council at their  
meeting held on the 27<sup>th</sup> Inst and when  
it was determined that the Resolution  
of the Council passed on the first Instant  
relative to the house kept by the Professors  
who are entitled to that allowance should  
equally apply to you as Curator and  
Demonstrator. The Resolution refined  
to it in these words -

"That the Council be authorized



to pay to each Professor who may be entitled  
to allowance for Stables that the sum  
actually paid by such Professor is a  
yearly Rent for the house he may occupy  
provided the sum does not exceed \$15-  
per annum. I have &c

I have Hc

Signed A. V. George.

1845-

*Albino*



... ..  
... ..  
... ..

Names	Age	Sex	Marital	Residence	Religion	Education
Mr. H. H. ...	277	15	1	House rent £12.10.0	Academic years	English
...	55	11	1	House rent £12.10.0	Academic years	English
...	500	0	0	House rent £15	Academic years	English
...	222	4	5	None	2 Terms	English
...	222	4	5	0	Academic years	Roman Catholic
...	111	2	2	Academic years	Academic years	English
...	222	4	5	0	Academic years	English
...	222	4	5	0	Academic years	English
...	222	4	5	Academic years	Academic years	English
...	277	15	1	House rent £12.10.0	Academic years	English
...	500	0	0	House rent £40	Academic years	Presbyterian

\* At present occupies the house of Principal of Upper Canada College valued at £30

† Amount of House rent variable; not exceed £5 per ann.

○ Attend the University Wards in the Hospital and give clinical lectures throughout the year

(Signed) H. Boys.  
Pursar K. L.



A. 3

## Return of students in the University of King's College

		Subjects attended												
		Classical			L. B. Science			Natural		Library				
		English	Logic	Philosophy	Mathematics	Physics	Chemistry	Botany	Zoology	Geology	Library			
		1	1	1	1	1	1	1	1	1	1			
		1	1	1	1	1	1	1	1	1	1			
		1	1	1	1	1	1	1	1	1	1			
		1	1	1	1	1	1	1	1	1	1			
		1	1	1	1	1	1	1	1	1	1			
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		1	1	1	1	1	1	1	1	1	1			



[illegible]

Names	W. J. G. G. G.	English: attended		G. G. G.		
		Hebrew in G. G. G. G.	Hebrew			
Ch. Givinity		2	3			
Names	W. J. G. G. G.	Givinity	Hebrew	G. G. G.		
Bethune- Champion	Ch. of England G. G. G.	1	1	6	1	0
				4	10	0



Name	Residence	Subjects attended					Fees			
		English	Latin	Maths	Physic	Chemistry				
...	Ch. of England		1	1	1		1	22	0	0
...	do	1		1			1	14	0	0
...	do	1				1		7	15	0
...	Free Church		1	1			1	13	10	0
...	Ch. of England	1	1				1	19	10	0
...	do	1					1	9	0	0
...	do						1	4	10	0
...	Roman Catholic	1	1				1	23	10	0
...	Ch. of England		1	1			1	13	10	0
...	do		1	1			1	13	10	0
...	do	1	1				1	19	10	0
...	do	1	1				1	19	10	0
...	do		1		1		1	13	10	0

The students marked thus attended Hospital Practice, or clinical lectures, or both, under Professors Knig & Beaumont.

N<sup>o</sup> 4

Return of the expenses incurred upon the Edinmont Building, at present in getting them up for the temporary accommodation of the Commission of Enq. College.

Date of Payment	Particulars	Amount
1842 April 5	M <sup>r</sup> Craig for painting and glazing	76 9 6
May 3	M <sup>r</sup> Pottier repairs	95 12 10
1843 June 3	M <sup>r</sup> Craig, painting in the West Wing	3 12 9
July 4	M <sup>r</sup> Pottier repairs	42 10 6
Dec <sup>r</sup> 9	M <sup>r</sup> Craig, painting and glazing	31 3 10
1844 May 10	M <sup>r</sup> Pottier, work in the Hall	42 15 10
	do Work in the Professor Rooms	41 10 4 1/2
	do Repairs	122 12 1 1/2
Oct 16	James & Son, altering the library	22 2 6
		470 10 3



Continuation of No. 4

The College also, pays a Premium of insurance on their Buildings to the amount of £55.5.5 per annum

By order

Wm. Brown

Procurer, &c.

No. 5

Return of Furniture applied to each Professor

Names

Value of the  
furniture of  
their own  
apartment

Value of their  
table & chair

Amount  
already included  
in the preceding  
column

J. H. Saul as Vice President  
his chambers consist of 2 small  
rooms for the reception of visitors  
to the University and all persons  
who have business with him as the  
acting head of the Establishment

J. as Professor

J. Brown as do

J. H. Dwyer Esq. as do

J. Dwyer as do

J. Dwyer as do

J. H. Clark Esq. as do

W. H. Beaumont as do

J. Herrick as do

W. B. Davis Esq. as do

H. Sullivan Esq. as do

J. as Curator

Rev. J. B. Murray as Professor

Room No. 1

Leather Desk

Chair

Room No. 2

Table

Chair

50

7

9

10

10

0

2

5

0

1

2

5

This is an office desk  
with alphabet & drawers

has no furniture

20

Table

10

Chair

10

Table

14

Chair

has no furniture

has no furniture

15

Table

has no furniture

has no furniture

19

Table

3

Chair

10

Table

4

5

0

2

5

0

1

0

0

3

0

0

3

10

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2

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(C. H. Dwyer)

Wm. Brown

Procurer, &c.



N<sup>o</sup> 6

A petition respecting the Chaplain to the University  
of King's College.

Whether recently appointed	Name	Chaplain	Duty	Religious Denomination	Date of Appointment	Date of Chaplain	Law under which he was appointed.
----------------------------------	------	----------	------	---------------------------	---------------------------	------------------------	---

No such officer formally appointed.

The Reverend James Beaven D.D., at the desire of the late  
Chas. Charles Bagot, has performed Chaplain's duty in the  
University from its commencement. It has been proposed  
in the College Council to allow him £100, currency a  
year for the duty; but such allowance has not yet  
been granted to him.

(Sd. J. D.)

H. B. B. B.

Bowser K. C.

John H. B. B.  
Private Secretary.

Private Secretary's Office  
Montreal 20<sup>th</sup> Feb 1845.

I have the honor by command of His  
Excellency the Chancellor to transmit for the  
information and opinion of the President and  
Council the accompanying copy of a Memorial  
received from Professor Gwynne relating to the  
financial condition of the University, which His  
Excellency has no doubt will receive the consideration  
which the great importance of the subject merits.  
In the mean time and until the question  
raised by Professor Gwynne can be finally adjusted  
the Chancellor recommends that further calls of  
land be suspended; and that no part of the Capital  
or Endowment should be applied to paying the  
current expenses of the University, which in His  
Excellency's opinion ought to be limited to its



annual income

is the honor a

Signed

Wm. Higginson

By

At the Right Hon<sup>ble</sup> Sir Charles C. Motte, Chancellor of the University of King's College &c &c

see the Report on the Memorial. p. 65-

The Memorial of the Undersigned Professor of Anatomy and Physiology in the said University, most respectfully sheweth.

That from the time of the appointment of your Excellency's Memorialist to a Professor's Chair, and to a seat in the Council of the said University, he has viewed with regret & alarm the system pursued of alienating the extensive estates with which the Institution was originally endowed, and the conversion of the said endowment into money, and above all the ruin the capital proceeds of the alienations afford to meet and bear current expenditure.

That it appears from the monthly returns made by the Surveyor to the Council, that the Committee appointed for the sale of land are proceeding with the alienation of the Estate to a very considerable extent, - and your Excellency's Memorialist is therefore led to express a continuance of this system, a system which he firmly believes to be destructive of the best & most permanent interests of the Institution, and which, however convenient it may be found for present purposes, will abundantly call forth public censure and reprobation hereafter. Your Excellency's Memorialist therefore respectfully addresses your Excellency for a threefold purpose. First - to pray your Excellency to interfere, in authority vested in your Excellency, for the preservation of the Endowment of the College in its present shape - of land - a species of property which in the circumstances of this Country must in the lapse of time become vastly increased



in value and which in all countries has been found the most secure, and most available for the support of Government Institutions & Learning; and for the preservation of the most rigid rules of the use of any portion of the Capital Endowment of the said Institution in the current Expenditure thereof.

Secondly, That Your Excellency may understand the motives of your Memorialists' opposition to the proceedings of the College Council on questions of alienation of the Endowment & of Expenditure - motives which are liable to be misunderstood, and still more liable to be misrepresented; so that the conduct of your Excellency's Memorialist, which is felt to be disinterested, and to proceed from the purest sense of duty, and from zeal for the advancement of Science in Canada may not be set down to any factious desire on his part to impede the majority of those with whom he is associated in the measures which they see fit to adopt in the management of the University affairs.

And Thirdly, Your Excellency's Memorialist makes this respectful representation to the end that should the present system of alienation & waste continue to be pursued, that he or those who may happen to be interested in the reputation he is desirous of maintaining and leaving behind him, may when the time comes when the consequences of the present course of the College Council shall be felt and reprobated, have the means of shewing that he as a member of the College Council left no means in his power unused which might have a tendency to protect the College endowment, and to preserve the same unimpaired to futureity.

Your Excellency's Memorialist therefore most humbly requests that the College Charter while it ordains and grants; that the Chancellor, President and Scholars and their successors shall be able and capable to have, take, receive, purchase, acquire, possess, use, enjoy, and maintain, to and for the use



of the said College, my Plebages, lands, tenements,  
and hereditaments, and while the same Charter grants  
to the Council of the said College the power to  
make Statutes, rules, & ordinances, for the manage-  
ment of the revenues & property of the said College,  
the said Charter gives no express power to the said  
Council or to the Corporation of King's College to  
alienate the whole or any part of the landed  
endowment; and your Excellency's Memorialist  
humbly conceives that had it been in contemplation  
of the Crown, when the said Charter was granted,  
that the Landed Endowment of the said College  
should be commuted into money, or that the  
Capital arising from its commutation thereof  
should be used for temporary or current purposes  
some expression of such design would be apparent  
in the said Charter; and the absence of any  
such expression leads your Excellency's Memorialist  
to the conclusion, that when his late Majesty  
King George the Fourth granted his Royal  
Charter for a seat of learning, which was to  
exist for all time thereafter, His Majesty intended  
that all the Landed endowment of the College  
should be retained in the same perpetuity.  
But if the Members of the present Corporation  
have and exercise the power of alienation of a  
part of the said Landed Endowment, they or  
their successors may alienate the whole; and  
if present convenience be a sufficient argument  
for using the Capital Endowment of the Institution  
now, the same inducement will be probably  
found sufficient at all times so long as the  
Endowment lasts. Your Excellency's Memorialist  
therefore most humbly represents to your Excellency,  
not only that the alienation and use of the said  
Endowment in the manner represented is contrary  
to all principle or intention of perpetuity in the  
Institution but it is also a most dangerous  
precedent to be set by the Council, who now act



at what may be called the commencement of the operations of the University.

That your Excellency's Memorialist from the consideration of the necessity of the preservation of such Endowment for the purpose of giving permanency to Institutions for the promotion of Learning and Science, was led to enquire as to the manner in which Endowments were preserved to colleges in England and he found that the same evil which he now complains of existed there and that its recurrence was prevented by what Lawyers call the restraining Statute of Queen Elizabeth.

That the said Statute being in their nature general and highly remedial, your Excellency's Memorialist humbly conceives that they were introduced into this Province by the Provincial statute which adopted the Law of England in Upper Canada in all matters of Civil Right.

The Statute 13 Elizabeth Chapter is reported by Lord Coke to intend to prevent the alienation of Collegiate Endowments as happened in the master and fellows of Magdalen College in Cambridge. For that said College sought to alienate a portion of its endowment by the device of conveying the same to the queen for the purpose of a grant from her Majesty to a stranger.

And it was unanimously resolved by the Court upon solemn argument that the said Statute 13 Elizabeth extended to restrain the Master and Fellows of the said College from conveying parcel of the possessions of the said College to the Queen, although the Queen was not named in the Statute and the reasons given by the learned Judges of the Court were addressed that care for extending the construction of the act so as to make it embrace conveyances to the Queen's Majesty, though not specially named, are in the mind of your Excellency's Memorialist conclusive against any narrowness of construction of the same act which would



prevent its operation in a Province where the English law has been generally adopted.

For may it please your Excellency if the Court rightly and justly could in the case of "Hag Linc College" say "god forbid that in any construction the Queen who made the act should be exempted out of this act 13 Elizabeth which provides necessary and profitable remedy for the maintenance of Religion, the advancement of good Literature and the relief of the Poor," it may well be said in this Province where the same good is to be accomplished by its provisions, and the same delapidations prevented by its enforcement as in the country from which our Law was taken.

It may it please your Excellency there was anything in the circumstances of this Province which made it inconvenient that the whole landed Endowment of King's College should be preserved in that shape it is as your Memorialist humbly conceives but reasonable to suppose that some mention would have been made of the inconvenience in the College Charter; and instead of an Endowment in land an Endowment in Money, or the proceeds of the sale of the land, would have been granted; or if any such circumstances are supposed to exist now the Legislature is competent to provide a remedy by permitting the alienation of a limited portion of the Landed Endowment: but it appears to your Memorialist that nothing short of the clearest case of incompatibility with the circumstances and general Institutions of the Province, of any Institution of learning being supported in the whole or in part by income arising from land, could authorize the Corporation of King's College of its own head to abrogate the statute 13 Elizabeth; for may it please your Excellency if it be proper that any portion of the Landed Endowment



of the colleges should be preserved that statute  
which applies to that portion; and if it apply  
to that portion of the Endowment which should  
be preserved, that portion comes within the reason  
and remedy of the Statute; and as all English  
Laws in force in England at the time of the  
adoption of English Law in Upper Canada, the  
reason and remedy of which are applicable to  
circumstances and things existing in the Province  
are Law in the Province, and as it is not competent  
to individuals or bodies public or private to dispense  
with Law, or to limit its operation according to  
their judgment, it appears to Your Excellency's  
Memorialist to follow incontrovertibly, that the  
Statute 13 Elizabeth is in force in Upper Canada  
as in England and that the Corporation of Kings  
College has no more authority to limit its  
operation than the Masters and Fellows of any  
Colleges in the English Universities.

Influenced by these considerations Your  
Excellency's Memorialist has taken occasion  
to bring the legal question of alienation and the  
mode thereof under the notice of the College  
Council, and on the 24<sup>th</sup> January last he submitted  
a motion (Vide Appendix A No. 1) to the Council  
to the effect that if the system of alienation  
were to proceed, it should at least do so under  
the advice of Eminent Professional men,  
knowing that so many individuals of acknowledged  
and Eminent learning and talents had been of  
the College Council when alienations of the  
Endowment were permitted. Your Excellency's  
Memorialist at one time supposed that the  
legal question had been fully considered, and that  
sales of the land might legally be made at  
the full value of the property and the proceeds  
thereof reinvested; and Your Excellency's Memorialist  
was induced from the same fact to suppose, that  
such alienation was known to consist with the



intentions of the Sovereign in granting the Endowment but upon referring carefully to the archives of the Institution, Your Excellency's Memorialist cannot find that the legal question has ever been directly considered, and so far from any intention appearing on the part of the Home Government to permit such alienation, Your Excellency's Memorialist finds that for the purpose of giving the College an immediate income the Government had substituted Crown lands under lease for a portion of the void lands once intended as the endowment - this income was at the time of this conception supposed to be one thousand pounds per annum and to be progressively increasing; and in addition to this, and as it were for the purpose of shewing the intention of Government that no portion of the estate should be alienated the University was authorised to take from the proceeds of lands sold to the Canada Company, one thousand pounds, per annum, which latter sum for sixteen years was intended for the erection of the requisite buildings.

Your Excellency's Memorialist found on examination of the archives of the College that although the custom of selling the lands prevailed almost from the very foundation of the institution, and has continued to prevail ever since to a greater or less extent, although that the composition of the Council has constantly varied, yet whenever the Council has considered the subject on its being formally brought under their notice the alienation of the estate by sale has invariably been stopped, but the custom appears to have again continually crept in apparently when members were off their guard and sometimes when there was not even a quorum of the Council present. - This fact will appear on a reference to the journals of the College Council, and the journals will likewise show, that whatever difference of opinion prevailed in the Council



relative to the propriety of selling the lands, and providing the Endowment, none of the Members seem to have contemplated the appropriation of any portion of the principal to meet current expenses.

During the Administration of Sir S. Bagot, in 1842, the custom of selling seems to have been almost abandoned, and the attention of the Council to have been considerably directed to providing ways and means for erecting the necessary buildings, without trenching upon the endowment, and increasing the annual income so as to enable the University to go into immediate and efficient operation. The Finance Committee made a report and the Council passed two resolutions in Feb<sup>y</sup> and March 1843, on the subject (vide appendix A. No. 2) yet notwithstanding these facts & although the Council had for a considerable time abandoned the idea of selling the endowment, yet afterwards during the time when there was no College Council in existence, in the interval prior to the formation of the present Council, sales of the University lands were effected upon a very extensive scale, and the very first act which the present Council was called upon to perform was the sanctioning the alienation of £6000 of Government debentures bearing 6 per cent per annum interest.

This last measure was urged upon the new Council before its Members had an opportunity of becoming acquainted either with the acts or views of their predecessors, but the vote of Your Excellency's Memorialist is recorded as dissentient on that occasion.

Your Excellency's Memorialist further humbly submits, that even if it were taken for granted that the College Council has the power of alienating the endowment of the Corporation this can only be effected by the means pointed out in the Charter for the management of the College Property, that is to say in



obedience to By-Laws regularly proposed and passed in that behalf; for it is of all things the most absurd to suppose that the Charter required property to be managed under the direction of statutes emanating in the first instance from the Chancellor, and at the same time to imagine that the same property might be alienated altogether with less formality and less deliberation.

Had the provisions of the Charter, if they can be held to authorize Alienation been adhered to in Louis, Govt, Your Excellency's Memorialist believes the Endowment would now be in a more flourishing condition; the Estate would not then have been at the immediate disposal of a body continually changing as to its members, and liable to be called upon to pass hasty resolutions, authorizing sales or confirming sales made without authority. Laws could scarcely have been passed without a review upon each occasion of the state of the endowment or without the adoption of deliberate plans for the future, whereas by means of continual sales the property of the College may become seriously injured upon, without any of the parties concerned being aware of the extent of the injury until it would be too late for the remedy.

Your Excellency's Memorialist is by no means desirous that the sales made under the authority of the College Council hitherto, should be avoided, he desires most seriously to raise the question of their legality, that purchasers may be confirmed in their rights by the only legal means, namely by Legislative enactment, which can hardly take place without some statutory definition and limitation of the power of the Governor of the Corporation, to alienate and destroy the endowment upon which the useful existence of the Institution depends.

The College was erected not for the sake of those who have the direction of its affairs,



and the public, which is the party really interested, never could tolerate the unlimited exercise of the power of alienation assumed, and, as Your Excellency's Memorialist believes assumed by the College Council.

Relieved as we are as the endowment is, enough may yet remain to sustain the Institution; and should this fortunately <sup>prove to</sup> be the case, former waste and reduction, for temporary purposes may be forgotten; but your Excellency's Memorialist humbly conceives, that the danger of the consequences of reduction of the Endowment has now become imminent, and that no arguments of convenience or expediency will justify its being further incurred.

The present annual income of the University if properly managed is, in the opinion of Your Excellency's Memorialist ample to enable the Country to derive from the Institution all the substantial and practical advantages, which in its present circumstances it is capable of deriving from a seat of learning and Science, but will not afford the sacrifice of any portion of it, either in show or realty, forms; That income being derived from land it must increase with the growth of the Province in population and resources. If however the landed endowment should be alienated, and the proceeds reinvested in money securities, the best that can happen is, that the income will be fixed, while there is a danger by no means remote of its being materially reduced by the introduction of monied capital; In opposition every circumstance of improvement in the country which can be looked for will tend to lessen the income from an Endowment in money, and to increase the yearly profits derivable from land.

It is but reasonable to suppose that land which possesses the greatest intrinsic



value usually are sold first. The accuracy of this presumption will be manifest on a comparison of the average prices received for lands in the years 1848 & 1849, respectively, where a decrease in the value of land to the amount of 2<sup>1</sup>/<sub>2</sub> per acre appears in the latter year as compared with the former.

The portion of the College Endowment which has been sold would therefore appear to be in proportion the most valuable and the portion which remains comparatively the least available.

The endowment was made when little was known of the lands intended to be conceded, and it is but too probable that out of the remains of 290,000 acres of land, a considerable portion will be altogether valueless. There is every reason to believe that such will be found to be the case, and should the College Council as proposed, proceed to alienate 80,000 acres more of the saleable land fancying that 100,000 acres would remain as a source of available income, it is certain that an error will have been committed which no time or events can remedy.

The system of alienation at present pursued appears to your Excellency's Memorialist most indiscreet and improvident. On the early settlement of the Province the Crown Reserves were leased at almost nominal rent great ultimate advantages being looked forward to at the termination of the leases - Such was the nature of the property placed in the hands of the Corporation of King's College in exchange for the wild unoccupied lands originally intended to be conceded. Although for nearly 12 months your Excellency's Memorialist as the journals will shew, has sought information in vain as to the number of leased lots so granted, to these leased lots are to be added, the lots which the College Council in pursuance of the same leasing system, granted upon lease, so that by



the returns furnished by the Bursar in 1843  
this is left in possession of only £4,700 taken  
out of £200,000 and the sales have been effected  
out of these sales &c. &c. &c. in many  
instances exceeding that which the  
College relied upon its wild lands. - When your  
Excellency's Memorialist remonstrated against  
this course of proceeding he was met by the  
Bursar with the statement - that the College  
Council were pledged as to settling a statement  
for which your Excellency's Memorialist can  
find no foundation, and of which the late  
Council of King's College appear to have  
entertained no idea.

It appears to your Excellency's Memo<sup>r</sup> that  
there is no necessity to alienate any  
portion of the endowment for the purpose  
of erecting the University Buildings. The  
arrears of Interest and rents, which are  
legitimately applicable for this purpose  
according to the returns made in 1843, amounted  
to £34,728. Sir Charles Bagot was of opinion  
that the University Buildings should be erected  
with the proceed. of these arrears. The Bursar  
in his returns to Parliament in 1842, proposes  
to give same to the persons indebted, so as  
to divide the claims upon them into  
annual instalments, for a space not  
exceeding five years. How far this proposition  
has been carried into effect, your Excellency's  
Memorialist does not know. The amount  
of the sum in arrears remains however  
unchanged in the returns of 1842 & 1843 -  
and notwithstanding that the College Income  
is said to be indebted to this sum in the  
amount of £1200, in annum, it still remains  
dead capital,

Your Excellency's Memorialist may  
further add that the sub Committee of the



College Council to whom is entrusted the sale of College lands are gentlemen inexperienced and wholly unacquainted with the value of lands in this Country and consequently in no respect qualified to fulfil satisfactorily this important duty required of them, if such duty can be delegated to any Committee by a resolution of the College Council.

Your Excellency's Memorialist trusts that he has laid before your Excellency sufficient grounds for your Excellency's interference, and to shew your Excellency that his opposition to the measures of the Council has been in no respect factious or unreasonable.

It only remains for your Excellency's Memorialist humbly to pray your Excellency to enquire into the legality of the proceedings of the College Council in the alienation of landed endowments, in the transmutation of the same into money securities and in the use of the capital endowment or any part thereof in payment of, or in advance of current expenses.

And if your Excellency should be advised that such alienation transmutation, and application may legally be made without legislative Authority, to pray your Excellency that the same may take place under the sanction of College Statutes in which the powers to be exercised and the extent of the property to be affected by them shall be strictly limited and defined.

And if your Excellency should think fit to propose the sale of any portion of the landed endowment of the College or the use of any of its capital, that the same may not be used to meet current expenses, but that the latter may be limited and reduced as a matter of actual necessity, instead of the



expenditure being considered of necessity to the  
safety of the endowment.

With the view of securing this object,  
your Excellency's Memorialist moved in the  
College Council an amendment to the  
Statutes lately transmitted by your Excell<sup>ty</sup>  
respecting the salaries of the Officers, to the  
effect that these salaries should be paid out  
of Annual income. This amendment was  
approved of, and it was agreed that your  
Excellency's attention should be called to it  
in the Address lately transmitted to your  
Excellency, recommending some trifling additions  
to the College Statutes.

When informed by the President and  
Bursar that the income would not admit  
of any additional expenditure, your  
Memorialist agreed to the non-increase of the  
salary of Professor Cullinan, although at the  
time your Memorialist expressed and considered  
that there was not in the Establishment an  
Officer so badly remunerated for his services,  
an opinion which your Memorialist enter-  
tained in common with almost every member  
of the Medical faculty, and upon the same  
ground your Excellency's Memorialist  
opposed an additional allowance to Dr.  
Beaven.

Your Excellency's Memorialist is aware  
that on the occasion when the question  
arose relative to the payment of the  
Professors salaries in sterling money of  
great Britain his vote on that occasion  
expressed him to the charge of inconsistency  
and of desiring to increase instead of to  
reduce expenditure; but your Excellency's  
Memorialist had then in view to move  
a resolution which would have had the  
effect of opening the whole question



regarding salaries so that the same might have been placed on a scale in accordance with the actual income of the Institution. Your Excellency's Memorialist had not then, nor has he now any desire to increase his own salary - though in the first instance he considered himself entitled to the amount promised him, and in consideration of which he had given up his private practice; and he could not see the justice of reducing the salaries of Professors who were called on to discharge the greatest amount of duty, in order to raise to an equality the salaries of others who were not expected to perform duties to half the amount. But your Excellency's Memorialist makes no complaint as to himself his salary being as high as the present state income of the College will admit of.

Your Excellency's Memorialist had resolved upon addressing your Excellency upon these subjects previously to the arrival of your Excellency's late minute to the College Council, and finding that your Excellency required information touching some of the subjects to which he was about inviting your Excellency's attention he thought it right to inform the Council that he was then preparing a memorial to your Excellency respecting matters connected with the University. Your Excellency, Memorialist took this course fearing that otherwise he might be exposed to unpleasant remarks.

The Bursar having now prepared a statement of the affairs of the Institution by way of answer to your Excellency's enquiry respecting the protest entered by your Excellency's Memorialist, your Memorialist beg. leave to append hereto abstracts of the Bursar's Returns for the years 1843 and 1844 (with Appendix B), with a few observations relative



to the various items from which Your Excellency will observe that although the sources of available income, have been materially diminished during the last year the income itself as stated by the Bureau remains the same in both years.

Your Memorialist is at a loss to understand upon what other basis the Bureau should have predicated the Income for 1845, than upon the sources specified in his returns, and as the income in each year must bear an exact proportion to the amount of the endowment, your Memorialist most humbly apprehends that to exhibit a present income on a diminished endowment equal to that which was predicated on the larger endowment of former years, can only be done by trenching upon the capital of the institution, a system which must ultimately terminate in its ruin.

For these reasons and knowing of no new source of income available to the College, Your Excellency's Memorialist hopes and prays that your Excellency will take the statements of your Excellency's Memorialist into consideration, and adopt such measures as will restrain the expenditure of the University within its actual income - let the same be large or small, and as will preserve to futurity what remains of the once munificent Endowments intended to establish & perpetuate a University for the advancement of learning and Science in Upper Canada.

And Your Excellency's Memorialist as  
in duty bound will ever pray,  
(Signed) Wm. Gwynne  
Feb 13<sup>th</sup> 1845.



Appendix A. No. 1

Resolved, That the opinion of the Attorney & Solicitor General be requested on the following points:-

First, Whether the sales of lands (the property of King's College) which have hitherto been made, are valid, the said sales having in most instances been effected by a mere resolution of the Council, and not by Statute emanating from the Chancellor, as the Charter appears to require?

Second, Whether the Council of King's College is not altogether deprived of the power of alienating the real estate of the University by sale, by what are called the restraining Statutes of Elizabeth?

This Resolution was proposed by your Memorialist at a meeting of the Council held on Friday, the 24<sup>th</sup> January 1843, but does not appear in the Minutes of that date in consequence of its not having been seconded.

No. 2

Extracts from the proceedings of Meetings of the College Council held in February 1843 and in the Month of March of the same Year.

Feby 1843

Present. The Lord Bishop

The Vice Chancellor

J. M. Gaul

Mr. Allan

J. C. Macaulay

L. R. Sherwood

H. J. Grasset

The Council resolved that the following scale of rents shall henceforth be observed in granting original leases for full lots of 200 acres of College Land, and that on renewal



Since the same scale shall be applied, in  
 relation to the rents existing at the termination  
 of the old lease.

1<sup>st</sup> seven years - £ 5 per annum  
 2 - 10  
 3 - 15

Jan. 7<sup>th</sup> 1843

Bureau of the Bishop

W. Small

J. M. Paul

J. C. Macaulay

L. V. Chermers

H. G. Grasset

J. Widmer

In reference to the scale of rents established  
 by the 13<sup>th</sup> Minute of the last Meeting it was  
 resolved that in cases where a lot is divided  
 into half lots the terms shall be for each  
 half lot as follows

1<sup>st</sup> seven years - £ 3 per annum  
 2<sup>nd</sup> - 6  
 3<sup>rd</sup> - 9

### Appendix B.

A statement showing a diminution of that portion of the  
 Endowment upon which the Income of the University  
 is mediated from the returns furnished by the Bursar  
 to the Land Committee of the College Council in  
 February 1843, and to the Chancellor and House of  
 Assembly in January 1845.

	Endowment in 1843			Endowment in 1845			Estimated income for 1843			Estimated income for 1845		
Amount invested in Securities,												
Bank stock Mortgages, &c.	42,819	6	9	44,755	17	0	2,511	13	2	2,643	2	0
Cent Roll estimated at per annum	-	-	-	-	-	-	1,500	0	0	1,500	0	0
Arrears of rents (estimated in 1842)	16,790	0	6	16,000	-	-	500	0	0	100	0	0
Outstanding purchase money	67,649	10	0	67,491	-	-	3,900	0	0	3,900	0	0
Interest on purchase money	10,000	-	-	16,582	-	-	750	0	0	700	0	0



Continuation of appendix B.

Means of Upper Canada College	5,402	0	0	4,000	0	0	200	0	0	100	0	0
Dues of - do - do - do	0	0	0	0	0	0	1,125	0	0	1,350	0	0
Dues of University Students say 30 at £27.10. each	-	-	-	-	-	-	740	0	0	800	0	0
Parliamentary Grant	-	-	-	-	-	-	-	-	-	1,111	2	2
<u>Note.</u> this grant was supposed in 1843 to be too precarious to be calculated upon in 1845 it is relied on as income.	-	-	-	-	-	-	11,261	13	2	12,204	4	2

Capital invested increased by ----- £1,936. 10. 3 $\frac{1}{2}$

The rent roll remains the same in both years  
altho' from the returns it appears that the  
leased lands are diminished to the extent of  
6710 Acres

The income in 1845 is barely the interest of  
£1700, the diminution of capital is -----

1,730. 0. 0

No credit has been apparently given for the  
proceeds of land sold in 1844 amounting to  
£5335, while the capital is diminished by -----

1,500. 10. 1

Capital diminished by -----

1,440. 0. 0

Capital diminished by -----

2,402. 0. 0

4,006. 10. 1

Subduct increase as above -----

1,936. 10. 3 $\frac{1}{2}$

Decrease

£2,070. 7. 9 $\frac{1}{2}$

Value returned of leases land sold in 1844

6,335. 0. 0

Total decrease of Capital since 1843 -----

£9,205. 7. 9 $\frac{1}{2}$

State of the Endowment in the Years 1843 and 1844

	On lease	Unoccupied	Total in 1843	On lease	Unoccupied	Total in 1844
King's College	09,753	17,016	107,575	04,934	10,051	103,775
Upper Canada College	5,015	36,900	42,795	3,931	30,573	42,504
	35,575	54,796	150,371	08,065	57,424	146,279



From  
Hon. Mr. Merritt  
Chairman  
Legislative Assembly  
Committee Room

Executive Assembly  
Committee Room  
12th Feb. 1895

The Committee appointed to inquire into the present method of disposing of the public lands will thank you to furnish them with a statement of what portion of the 220,000 acres of land set apart for the University, 100,000 acres for the Canada College and 25,000 acres for District Grammar Schools have been disposed of - the amount collected and the amount due, in what manner the proceeds are invested and the balance on hand of either of those funds whether these lands are still open for sale, and any other information you can furnish the Committee on this subject will oblige

Yours truly  
(Signed) Wm. Merritt  
Chairman

To  
W. H. Merritt Esq. M.P.,  
Chairman

Kings College Office,  
Toronto, 10th March, 1895

Legislative Assembly  
Committee Room

Your letter of the 12th Feb. therein as Chairman of the Committee appointed to inquire into the present method of disposing of the public lands, your request statements may be furnished - in respect to the lands belonging to Kings College & Upper Canada College & the grammar schools was submitted to the Council of Kings College on the 20th Feb. when I received direction to inform you that the application for such information should be made through the Governor General as Chancellor of the University; and that in reference to the Committee the Council has directed the information to be furnished in case His Excellency should call for the same.

Yours truly  
(Signed) H. B. Brown, K.C.



To

Memorandum 5<sup>th</sup> March 1845. Sent Mr Higginson the Minutes of Council of the 26 & 28 M<sup>o</sup>.Mr Sec<sup>y</sup> Higginson

To

Memorandum, 13<sup>th</sup> March 1845. Sent Mr Higginson the Minutes of Council of the 12<sup>th</sup> March, 1845.Mr Sec<sup>y</sup> Higginson

To

Memorandum 22 March 1845. Sent Mr Higginson the Minutes of Council of the 10<sup>th</sup> March, 1845.Mr Sec<sup>y</sup> Higginson

Copy

March 11<sup>th</sup> 1845

Sir,

I have the honor to transmit the accompanying Documents for His Excellency, the Governor General's consideration and have to request that you will take an early opportunity of submitting the same to His Excellency.

Capt. J. M. Higginson

Private Secretary

I have &amp;c

(Signed) Geo<sup>rge</sup> C. Greyne.

x x x

Copy

London March 11. 1845

My Lord,

Since I had the honor of addressing your Excellency on the subject of the financial affairs of the University, transactions bearing so materially on the interests of the Institution and of a character so much more extraordinary than any touched upon in my Memorial have transpired in reference to the Bursar's Office, that I have been induced to bring the subject at once under your Excellency's consideration at the risk of trespassing still further on Your Excellency's patience - For some time past I have had well grounded suspicions that irregularities had been practised in the Bursar's Office which were highly detrimental to the interests of the University, but I have only recently had undoubted evidence



of the nature and extent of some of the  
charges to which it allude, and I am now  
in a position to give Your Excellency in a  
digest of the evidence on which one of the  
most recent of these cases rests. The letter  
of His Lordship dated in this City of date the  
27<sup>th</sup> Inst. a copy of which I have in the honor  
to transmit to Your Excellency I will explain  
the circumstances of this case and I humbly  
trust that no comment is required from  
me on the subject matter of that letter to  
force it on Your Excellency's most serious  
and immediate consideration.

It might appear arrogant in me were  
I to offer any suggestion to Your Excellency  
on the subject of this letter, but I cannot help  
entertaining the conviction that there are appearances  
connected with this transaction, and to say the  
least of it suspicious connected with others  
which render the whole subject one, peculiarly  
requiring, serious investigation; and it certainly  
appears to me to be of importance to the public  
interests that the facts should rest rather on  
the evidence of inquiry than on the mere  
statement of an individual.

I have considered it to be my duty  
as a Trustee of the Institution to bring this  
matter under the notice of His Lordship the  
Bishop of Toronto, as President of the University  
and in that capacity endowed by a Council  
Statute with the control of the Bureau Office  
and I have also the honor to transmit to Your  
Excellency, a copy of my letter to His Lordship  
the President.

I have &c  
(Signed) Wm. L. Gwynne.



Copy

Toronto March 18<sup>th</sup> 1845

Dear Sir

In answer to the questions you put to me yesterday afternoon, I beg to state that I was called upon by Mr. Hawkins the day previous, who produced an Indenture of agreement (such as those usually issued by the College Office) which was duly executed by J<sup>r</sup> Boys, and had the College Seal attached to it and bore I think the date of the 5<sup>th</sup> Instant; and the purport of which was an agreement with me and the College for the absolute sale to me of the south part of Lot 34 Conc<sup>o</sup> B<sup>o</sup> containing 80 acres for the sum of one hundred and forty pounds, one tenth of which or fourteen pounds was acknowledged to be received on account; then presenting it he stated that he had taken the liberty of signing my name without first asking my permission, but that he had purchased the right of some man of the name of Sark to this lot, and wishing to obtain the College agreement J<sup>r</sup> Boys had told him that he would prefer that the agreement should issue in some other persons name who could then assign the agreement to him, and that therefore he had made it out in my name, and wished me to do so after reading it over. I told him that I wished to give the matter further consideration before I did so, that I would not become a party to a transaction without well considering the position in which it would place me, and that until I was perfectly satisfied in my own mind that I should not in any way be compromised or compromise others, I would not have any thing to do with it. He then said that he would bring me the agreement that the Sarks had given him.



which he thought would remove any scruples I might have - I told him that he might do so, and that in the mean time I would consider the matter.

Mr. Hawkins called yesterday, and showed me the agreement he had with the Dicks, but to which the Elder brother who was the only one who had a equal interest in the business was not a party. I then asked him if I would assign the agreement. I told him I could not now have anything to do with it, as they had been to me and desired the agreement, and wished me to sell their interest for them. He said that some person who bought it might depend upon it, every obstacle would be thrown in their way, at the office to prevent their obtaining the lot.

Dr. Boyl called upon me this morning, and said that he had executed to me an agreement for the sale of a lot in Scarborough and wished to know how it was - I told him that I was aware of it, for that the Indenture had been presented to me by Mr. Hawkins with a request that I would assign it to him; that I had refused to do so; and that the agreement had been made out to me without my having been in the slightest degree consulted. That I was very much surprised by the affair, and would have nothing to do with it. He remarked that he was afraid it would be a bad business for Mr. Hawkins. He also stated that if I had any property for sale that would produce an income, that I might give him a statement of it, in order that he might submit it to the Council for their consideration, as they were desirous of investing their surplus funds in real estate producing an income. I would be glad if you would let me know if this is really the case as I have in my hands at present several such properties.



the particulars of which I would submit for  
the consideration of the Council - I believe I  
have explained myself thoroughly now, and  
that you will be satisfied that I have had  
nothing whatever to do with this affair, but  
that an unwarrantable use has been made  
of my name and that is the only connection  
I have with it.

To George

(Signed)

I am &c  
Francis Lewis.

From  
Henry Hawkins.

Richmond Street

Toronto the 16<sup>th</sup> March 1845

Sir I have the honor to acknowledge the  
receipt of your note of yesterday, communicating  
to me a minute of the Council of King's  
College suspending me temporarily from my duties  
in consequence of "The Mayor having stated  
"that he has given strict directions to the sub-  
"ordinates in his office to abstain from making  
"any purchases of land connected with the office;  
"and Messrs Price & Ewatts letter just read proving  
"that Mr. Hawkins has done so contrary to such  
"instructions, that the same be suspended from  
"his duties until the matter be investigated."  
I shall for the present refrain from any remarks  
upon this minute of the Council, as well as  
the ground taken for passing such a resolution.  
In the mean time I beg to tender my resignation  
to the College Council of the Office of Senior  
Clerk in the Mayor's Office, requesting an  
opportunity may be given me of defending  
myself against the charge brought against  
me

I have the honor to be

&c &c

(Signed) Henry Hawkins

A note referred to entered  
at page 63.

Hawkins' resignation  
accepted 28 June 1845 - see p. 116



To  
Mr. Hawkins

K. C. O. Toronto  
March 10<sup>th</sup> 1845.

Dear Sir,

I am very sorry to inform you that I have received directions to communicate to you a resolution of the Council suspending you temporarily from your duties in this office. The Minute made on the occasion is this - "that the Bureau, having stated that he had given strict directions to the Subordinates in our office to abstain from making any purchases of land connected with the office, and that Vice & Edwards letter just read proving, that Mr. Hawkins has done so contrary to such instructions, that he must be suspended from his duties until the matter be properly investigated."

I would therefore advise that you should not appear at the office till you hear from me again.

I need not say how much I lament this proceeding, but have had no means of interposing to arrest it. Of course I am not allowed to take part in the debates which arise in the Council, & am sorry that a statement from me is put forth as one of the motives for the resolution but my statement was of a general nature, given in answer to questions put to me.

I remain my Dear Sir,

Yours very truly,

H. Jones.

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To Memorandum, 16 April 1845. sent Mr. Higginson the Minutes  
J. M. Higginson, Esq. of Council of the 12<sup>th</sup> Instant.

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## Return of lands under mortgage of sale.

Person	Lot & Description	Township	Committee Valuation	Acres
Miss. Arnul	W <sup>1</sup> / <sub>2</sub> 5' in 9 <sup>th</sup>	Trafalgar	\$ 5	100
Isabel Eimer	24 " 4	Thurlow	5	200
Peter & Isaac Stoney	S <sup>1</sup> / <sub>2</sub> 11 " 3	Scarboro	10	100
Chas Crocker	S <sup>1</sup> / <sub>2</sub> 15 " 5	Pickering	5	100
Robt. K. Chisholme	S <sup>1</sup> / <sub>2</sub> 16 " 2	Trafalgar	8	100
Jas. Saultorpe	N <sup>1</sup> / <sub>2</sub> 9 " 2	Hope	7	100
Chamney Crosby	N <sup>1</sup> / <sub>2</sub> 28 " 5	Pickering	8	100
Bernard Smith	14 " 9	Murray	5	200
Chas & Pick. Bonnycastle	5 " 4	Seymour	5 <sup>1</sup> / <sub>2</sub>	200
Alg. J. Grace	W <sup>1</sup> / <sub>2</sub> of E <sup>1</sup> / <sub>2</sub> 21 " 3	York E. Young, Ont.	9	50
S. M. Huggins & R. M. Arthur	1 " 5	Wm. Hawkeburg	5	200
Richard Cates	15 " 12	Seymour	5	150
George Lang	E <sup>1</sup> / <sub>2</sub> 28 " 1	Pickering	8	100
Mr. Broomfield	28 " 7	Hamilton	5	200
Nathan Colver	SE <sup>1</sup> / <sub>4</sub> 5 " 8	Windham	5	50
Butler Smith	S <sup>1</sup> / <sub>2</sub> 27 " 5	Hamilton	5	100
Franklinbeck & Williams	28 " 3	"	5	200
Gas. Harris	21 S. E. Road	Wilmet	5	150
W. Corrigan	4 in 5	Nelson	5 <sup>1</sup> / <sub>2</sub>	200
			Acres	2,500

(Continued)

H. J. J. J.

B. J. J. J.

To Memorandum, 3<sup>rd</sup> May 1845, sent Mr. Higginson the Minutes of  
 J. M. Higginson Esq. Council of the 30<sup>th</sup> ultimo.

To Memorandum, 9<sup>th</sup> May, 1845. Sent Mr. Higginson the minutes of  
 M. Higginson, Esq., Council of the 3<sup>rd</sup> May 1845

To Memorandum 29<sup>th</sup> May, 1845. Sent Mr. Higginson the Minutes of  
 M. Higginson, Esq. Council of the 7<sup>th</sup> & 10<sup>th</sup> instants.

To Sir,  
 K. C. O. I. 30 May, 1845.  
 M. Higginson, Esq.  
 I have the honor to enclose to you the minutes of the proceedings  
 of the Council of King's College at the usual monthly meeting held  
 on Wednesday the 28<sup>th</sup> instants, it being the last Wednesday in



the month: - for the purpose of their being submitted for the information of His Excellency the Governor General. Chancellor of this University.

Permit me to request your attention to the 10<sup>th</sup> of these minutes, which conveys the information you have called for respecting the investigation suggested in His Excellency's minute of the 10<sup>th</sup> March last.

I have the honor to be Sir, signed T. B. Rogers.

this report adopted by the Council at their meeting on 11 June 1845. *Memorial to the Chancellor* (bearing date see Council Minute Book, p. 205)

Thron's first submitted to the Council on the 20 May - 1848  
see Minute N<sup>o</sup> 14 of that date  
C. M. B. p. 202.

February 13<sup>th</sup> 1845) was referred, report that they have investigated with much care the objects which the Memorialist brings under the attention of His Excellency in that document. The principal are the alienation of the estate and the conversion of the endowment into money, - and the use, which it is asserted has been made of the capital proceeds, to meet and bear current expenditure.

#### 1. Of the alienation of the estate.

The grounds on which the Memorialist founds his surmise that the College Council does not possess the power of selling the property of the Corporation are these;

(a) The absence of any expression in the Charter giving the power of alienation.

(b) The applicability of the restraining statute of Elizabeth to the institutions of this province.

(c) The absence of any expression in the Charter giving the power of alienation.

Of the land which has been or is in the hands of the Corporation, 225,944 acres were conveyed by patent as the endowment of the University, and about 66,000 were conveyed in trust for



Upper Canada College.

With regard to the latter of them, there can be no question as to the power of selling for it is expressly stated that the land was conveyed in trust to be sold for the payment of the sums advanced by the University for the support of that Institution.

The only point, then, about which a question can be raised is, whether the Council have the power of alienating by sale the 225,944 acres, which formed the endowment of the University. In order that a correct opinion may be formed on the subject, it appears necessary to take a brief view of the circumstances under which the endowment was granted.

In a Despatch from His Excellency Sir Peregrine Maitland to Lord Bathurst (dated Dec. 19<sup>th</sup> 1825) it is suggested that an exchange should be made of these lands available for the endowment of a University "from that portion of the Crown Reserves, which remains to the government" - and the reasons of this suggestion is subjoined in the following words "as being under lease, the latter could be almost immediately disposed of at an average price of not less than 10/- per acre. There are about 200,000 acres of Crown Reserves at present occupied, & a sum would thus be produced that would admit of the immediate establishment of a University on a scale, that would render it effective."

It appears then from the L<sup>t</sup> Governor's Despatch suggesting the measure, which resulted in the endowment of Kings College, that the inducement for giving the Crown Reserves in lieu of the lands, to which the University was entitled, was - the facility



with which these reserves might be sold.

In a Report also by the present Lord Bishop of Toronto, bearing date March 10<sup>th</sup> 1826, the sale of the lands to be received in exchange is specially noticed as the principal feature, which recommended the exchange.

On the 15<sup>th</sup> March 1827 the Charter was issued and on the 31<sup>st</sup> of that month, Lord Bathurst authorizes Sir D. Maitland "to exchange such Crown Reserves as have not been made over to the Canada Land Company, for an equal portion of the lands set apart for the purposes of education and foundation of a University, as suggested in your despatch of Dec<sup>r</sup> 19<sup>th</sup> 1825, and more fully detailed in Sir Strachan's Report of the 10<sup>th</sup> March 1826 - and" the despatch continues - "you will proceed to endow Kings College with the said Crown Reserves with as little delay as possible." Accordingly on the 3<sup>d</sup> January 1828 the Patent was issued, whereby the portion of the Crown Reserves was conveyed to the Corporation as the endowment of the University.

In that instrument, although a similar formula to that in the Charter is adopted, whereby the Corporation are authorized "to have, take, receive, purchase, acquire, hold, possess, enjoy & maintain" - the word sell being omitted, yet the power of selling is clearly recognized, for a provision is made - "if the lands should come into possession and tenure of any person whomsoever either by virtue of any deed of sale, &c"

In one portion of the land thus transferred (the township of Wilnot) the price for which it was to be sold per acre by the Corporation was fixed by the Government.

Nor did the Council, on receiving the lands given in exchange, at all doubt their power



to sell, for in February 1828, public notice was given by their authority that they would either renew the leases or sell as might appear expedient to them or to the Lessees, - and at their fourth meeting in May, they fixed their minimum price at 20/- per acre & directed the advertisement of all their lands in the Home District for sale, & the announcement that those in the other districts would be offered for sale, as soon as the necessary arrangements could be completed.

From that time up to the present period this power has been exercised now, until recently, has any objection to it been ever advanced by any member of the Council, although the highest legal authorities in the province have been amongst its members, & the subject has been more than once a topic of conversation during their sittings.

The Committee are of opinion then, that the objection of the Memorialist founded on the omission of the words to sell or some such equivalent terms in the charter is not to be entertained as valid, inasmuch as it appears the L<sup>t</sup> Governor, when recommending the present grant as more desirable than the original appropriation stated as its principal advantage, that it could be immediately sold - that the Bishop of Toronto in his report also contemplated the alienation of these lands - that the Secretary of State, after the Charter had been granted, authorized the exchange, as recommended by the L<sup>t</sup> Governor & Bishop - that the Deed of endorsement expressly provides for the case of the lands being alienated by sale - that the lands appear to have been accepted under the impression that they might be



sold. & the Council proceeded forthwith, after the issue of this deed of endowment, to offer them for sale, and have continued since that, period to pursue that mode of alienation, as appeared to them expedient.

(b.) The applicability of the restraining Statutes of Elizabeth to the Institutions of the Province.

In considering this argument the Committee will not enter into the purely legal question whether the Statutes referred to are or are not in force in the Province, under the authority of the Provincial Statute, whereby the law of England was adopted in matters of civil right. They will merely observe, that the applicability of all Imperial Statutes cannot be necessarily inferred from the existence of that Provincial Statute. Of this, however, they are certain, that these Statutes of Elizabeth have not been acted on; and they feel persuaded that such restrictions are wholly unsuitable to the circumstances of an endowment, such as that of the University, situated in a country where there is so great facility of obtaining the fee simple of land - where Rents are necessarily so low - when leases are seldom taken, except in particular localities, unless with the prospect of purchasing - & when it is most desirable to give every encouragement to settlers to remain.

A moment's consideration of the result, which must have followed inability to sell will show that such restraint would have been most highly injurious.

The Rental of the leased lands when transferred to the University, was estimated at about £1,000 per annum. It appears highly improbable that even that small income



could have been collected; & this is strongly supported by the fact of the present large accumulation of arrears of Rent. In many cases also there was an engagement to renew & of course until these renewals expired, the annual revenue must have remained very low. The greater part of the lands, which were not leased would most probably have continued unoccupied to the present day, for the applicants would either have withdrawn their claims, on finding that they could not obtain the fee simple & secure their improvements, or, if they accepted a lease, would merely have used it for the purpose of stripping the land of Timber - Upper Canada College could not have been built or supported - the site for the University could not have been purchased or improved - & the opening of the Institution must have been postponed to a period indefinitely remote. - a great part of the property would be lying unoccupied & most probably plundered of the timber - a considerable portion of the small income withdrawn from the service of the Institution for the payment of the Land Tax - the lease-holders dissatisfied that they were debarred the privilege, which the settler most highly values, of securing his improvements by purchase for his family - & the whole community discontented that the wild lands of the Institution were stopping the progress of improvement whilst the objects for which the endowment was granted, were wholly neglected.

The Committee cannot dismiss this part of the subject without expressing their surprise that the Memorialist should not have supported his opinion relative to the applicability of the Statutes referred to by citing the portions of those



Statutes on which his argument was founded & producing the opinions of professional men, qualified to pronounce on such a matter. Nor can they forbear adding, that the Visitors are the proper Authorities for deciding questions of this nature; & add that according to the usage or laws of every University, with which they are acquainted, such subjects never have been nor are referred to the Chancellor.

In this University such a course is peculiarly objectionable inasmuch as by the Charter, the highest officer is a member of the Council, & thus participates in responsibility for the acts of that body: hence it has been the practice of the Council to submit a copy of the minutes of each meeting for the information of His Excellency, when he has not been present.

But the Memorialist founds a collateral proof "of the intention of the government that no portion of the estate should be alienated on the fact that the University was authorized "to take from the proceeds of land sold to the Canada Company £1,000 per annum; which latter sum for 16 years was intended for the erection of the requisite buildings." The Memorialist seems to forget that if the grant of that annual payment be evidence of the intention of the Government, that no portion of the estate should be alienated, the withholding it after a little more than a fourth of the period for which it was promised is equally conclusive of their opinion that the further sum required for building, should be taken from the University funds. Nor can it be believed, that it would have been expected by any one, who had the least acquaintance with the state of the endowment, that the annual income derivable from the Rents would have been sufficient at once for



the current expenses of the Institution & for the erection of the necessary buildings.

The Memorialist also advances in confirmation of his views "that whenever the Council has considered the subject (soil. alienation) on its being formally brought under their notice, the alienation of the estate by sale, has invariably been stopped, but the custom appears to have again continually crept in, apparently when members were off their guard & sometimes when there was not even a Quorum of the Council present."

The Committee are not aware, that the Council have ever stopped the practice of selling the lands of the University through any doubt of their right to alienate the estate in that way - nor is there any record on the minutes of the Council, since its first meeting, which would warrant such an opinion. They certainly have at different times for various reasons suspended both selling and leasing, & the question of retaining a considerable portion of the estate as a permanent endowment, has been more than once brought forward. The majority of the Council, however, never declared their concurrence in this until April 1844, when a recommendation of the Land & Building Committees to the effect "that 100,000 acres should be reserved as the perpetual endowment of the University" was carried.

The Committee are of opinion that the words of the Memorialist - "Whenever the Council has considered the subject on its being formally brought under their notice, the alienation of the estate by sale has invariably been stopped" do not give a correct view of the action of the Council or their motives on the occasions to which reference is made.

In July 1839, the resolution passed by the Council on the subject was in these words -



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"that until a new valuation of the lands belonging to the University, he made no more applications to lease or purchase he entertained."

In December 1839, the President "suggested the propriety of the Council taking into consideration, whether some limitation should not be placed to the alienation by sale of the University lands" - but the subject was deferred.

In January 1840, the subject was again noticed & again deferred.

In February 1840, "the Lord Bishop of Toronto moved that 100,000 acres of land be retained as the permanent endowment of Kings College & 25,000 acres of land be retained as the permanent endowment of Upper Canada College. The said lands to be placed under lease of 21 Years and that at the expiration of each lease the same be renewed ~~with~~ such rise of rent as may be determined by arbitration" - after some discussion this motion was withdrawn, and the following motion was substituted & was assented to by the Council - "that before concluding upon the propriety of permanently retaining any considerable part of the estates belonging to the University & Upper Canada College, the Council are desirous of obtaining correct information on the value of the lands held, & of the returns stipulated for & actually received under leases already granted, which information, it is understood, is in course of being obtained. In the mean time all further grants of leases or sales of land to be suspended". The reason of the withdrawal of this motion, although not recorded on the Minutes, was the decided objection expressed by the Chancellor, who was then present, to keeping a landed endowment



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The next occasion on which the Committee find that the subject is noticed on the Minutes was in January 1841. when the consideration of applications to purchase to the extent of 5400 acres was deferred "the Council proposing at their next meeting to take into consideration whether it may not be advisable to adopt some new regulations on the subject of alienating the College property."

In March 1842, the Report of the Finance Committee was presented, in which the principle of alienation by sale is recommended even to the extent of all the lands then leased. This Report was adopted by the Council.

The Committee are not aware of any further action on, or notice of the subject by the Council until April 1844 the particulars of which have already been given.

The Committee cannot discover any grounds for the opinion expressed by the Memorialist that "the custom appears to have crept in apparently when the members were off their guard" nor is there any thing which they can find, to justify the assertion that the custom crept in "when there was not even a quorum of the Council present" Lands have been sold under such circumstances, undoubtedly, for power was given (in order to expedite and facilitate business) on more than one occasion to a number of members, less than five to decide on the applications of intending purchasers, but the practice of selling when stopped has never been resumed but under the authority of the Council.

The Committee are also unable to discover the authority on which the Memorialist has stated that "during the administration of Sir Charles Bagot 1842, the custom of selling seems to have been almost abandoned" for it



appears from the Bursar's returns for 1845 that the number of acres sold in the year 1842 exceeds the average of the 17 years, during which the Institution has existed.

The average yearly sale of the lands of the University, has been about 2500 acres whilst the amount sold in 1842 is 7500. In fact, it was during the administration in 1842 that the principles of the principle first developed in the report of the Finance Committee presented on March 18<sup>th</sup> of that year, of borrowing from incoming capital for current expenses, and paying it back with interest by means of retrenching all the lands income. From that time the necessity of selling the estate was fully recognised & acted on; and although some members were still desirous of retaining some of the lower lands, the practice seems to have been uniformly pursued until the beginning of 1844, when a Committee was appointed to report on the state of the endowment. The report of that year they submitted a recommendation to the Council on the subject & the result of the discussion thereon was the adoption of a resolution to resume the sale of lands.

The Memorialist further advances on this subject the following remark "The Finance Committee made a Report, & the Council, passed two resolutions in February & March 1843, yet notwithstanding these facts, and although the Council had for a considerable time abandoned the idea of selling the endowment yet afterwards, during the time, when there was no College Council in existence in the interval, prior to the formation of the present Council, sales of the University lands were effected upon a very extensive scale, and the very first act, which the present Council was called upon to perform was the sanctioning the alienation of Government Adventurers' Dues."



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after cent. for annum interest?"

The Committee cannot conjecture, as to what report of the Finance Committee the Memorialist refers - The only report now presented is the year 1848. The Memorialist himself, & Dr. John Smith were appointed a Finance Committee in October of that year - "to examine into the state of the resources of the University & especially the state of the arrears of monies due to the University" but no action was taken by that Committee nor was any report or suggestion ever offered by them to the Council.

If the Memorialist intended to refer to the report of the Finance Committee presented in March 1842, he has been most unjustifiable in his reference as the principles on which that report is based, as is evident from what has been before stated) are most adverse to his views. The Committee believe that the two resolutions passed in February, & March 1843, were not founded on any Report - there is certainly no evidence whatever, that they were - nor is there any thing to show to the inference, that it was the intention of the Council when passing them to abandon the sale of the endowment.

In August 1839 a Committee recommended the mode of leaving the College lands to the consideration of the Council the Committee were of opinion "that the Rent should be in some degree proportional to the value of the land" since that time the increase of the rents has been repeatedly the subject of conversation at the Council table, & at length in 1848 was reduced to the form of resolutions as the Memorialist states but certainly neither then nor at any other time (except at the period already mentioned, April 1844) has the Council come to any resolution to stop the alienation of the estate



in order at a like time, whilst the consideration of these resolutions did not engage the attention of the Council the lands were being sold - when they are then again the lands continue to be sold - nor are there any members of the Council which immediately preceded the newly formed body, comprising the Bishops, that have expressed a doubt of the expediency of, or rather necessity for selling the lands to enable the University to go into immediate & efficient operation.

But the memorialist states that: "The Council not for a considerable time abandoned the idea of selling the endowment" - If the memorialist had offered any proofs of this assertion, it might be necessary to enquire into their validity. As he has not, it only remains for the Committee to state in reply, that the assertion is wholly without foundation. The memorialist also states that: "During the time, when there was no College Council sales of the University lands were effected upon a very extensive scale." The Committee have no doubt that the sale of the University lands was continued during that time, but it certainly was not resumed then after it had been previously stopped. The general returns for 1848 will show that the sales were conducted with at least as much caution as usual; for the amount sold was less than what had been sold during some other years, & the average price per acre is for the King's College estate higher than that for any other year but one; & for the other University college estates, the highest of which an minute enquiring into the sales effected during the time "when there was no College Council" will, from the beginning of April to the end of September, a period of about six months, they find that the amount of acres sold in that half year is only about  $\frac{1}{2}$  of that sold in the other, when there was a College-



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Council holding regular meetings; whilst the average price for more of King's College lands sold in that period exceeds not merely that of the other six months, but that of any year since the foundation.

But the Memorialist continues with reference to the management funds that since "the very first act" which the present Council was called upon to perform was the sanctioning the alienation of £600 of government securities." The Committee both are and were at a loss to know the grounds of the objections of the Memorialist to the application of that amount of funds. He knows as well as they that during 1843 the building on the University grounds was in progress & was not completed until the close of that year. - that as the University opened on June 8<sup>th</sup> heavy expenditure was necessarily incurred in preparations that at the last meeting of the former Council on April 6<sup>th</sup> the Board was directed to pay upwards of £1500 on account of Mr. Bidwell's property & that the statement of the funds, as exhibited on the last Wednesday in March, shewed a debt of £3000, to the Bank of Upper Canada. Is there any thing to excite astonishment or to justify censure in the fact that in September of that year the Council were called on to pay £2300 out of their capital to meet the expenditure in building & outfit during the previous period of six months, when that outlay was necessarily made? During that period, independently of a number of smaller accounts paid for fittings, &c, there were disbursed on account of Mr. Bidwell's property more than £1,500 - to Mr. Bidwell, his family £1950 - on account of the general library upwards of £650 - & to Mr. Paget on account of medical library & Instruments about £450.



But the Committee would ask any one, who  
 took the course of introducing the subject  
 into the object of raising at the birth, is  
 it extraordinary that the debt, which at  
 the end of March was £8000 should have  
 been increased at the end of September to  
 £8500 when during that time payments were  
 to be made on account of buildings in-  
 vestment in land & preparations for commencing  
 the business of the University?—There is any thing  
 which deserves censure in the fact, that the  
 expenditure on the buildings in the temporary  
 occupation of the University, & the requisite  
 outfit for commencing business therein  
 (including Medical and General Library &  
 surgical Instruments) should have required  
 an outlay of invested capital of about £5000?  
 for these objects were required no more  
 as will be apparent on deducting from  
 £6500 taken from subscriptions in September  
 £3000 on account of the former debt in  
 March, £1500 on account of investment  
 in land as directed by the Council, & £1500  
 advanced on account of the S.E. wing,

The Memorialist appears from his subsequent  
 observation to derive satisfaction from the remem-  
 brance, that minute is recorded as dependent  
 on that occasion, as the Committee have  
 fully stated the circumstances under which the  
 Council were called on to perform that act.  
 They feel it to be unnecessary to offer any  
 opinion on the Memorialists conduct there.  
 They will merely observe, as he has called  
 attention to the subject of his sole dissent from  
 the majority of his colleagues that his recorded  
 doubts during the 20 months, in which he has  
 been a member of the Council have been  
 more numerous than those of all the members  
 of that body during the preceding period of the



existence of the Institution about 10 years.

The Memorialists further submit that "even if it were taken for granted that the College Council has the power of alienating the endowment of the Corporation, this can only be effected by the means pointed out in the Charter for the management of the college property - that is to say, in obedience to By-laws regularly proposed & passed in that behalf". The Committee do not clearly understand what the Memorialists suggest - whether that there should be a general Statute declaratory of the power of the Council (in the expediency of which the Committee concur) a statute limiting the amount to be alienated (which also is conformable to the wishes of the Committee); or a statute warranting each sale of land which appears to them at once unnecessary & injurious. Neither can the Committee perceive any reason for the Memorialists' belief that "under the provisions of the Charter if they can be held to authorize alienation they adhere to in some sort the endowment would more have been in a more flourishing condition". By reference to the provisions of the Charter it is presumed that the hypothesis of selling of the lands relative to the alienation of the estate is unfounded. But it does not appear that the action of the Council under such by-laws would in any respect have differed from what it has been without them.

On the objection of the Memorialists that legislative enactments is the only means whereby purchasers may be confirmed in their rights (on the supposition that the Council had not the power to alienate the land by sale) the Committee desire to offer no opinion until it shall have been decided that the



Council did not think, and still think will be  
 concerned in the Council to consider what  
 is the proper course to be pursued in order to confirm  
 the purchases of the lands of the Indians in  
 their legal rights, all present the same object for  
 which it seems expedient to imitate the action  
 of the Legislature, in its session the 1st of 1837 the  
 provisions of which are not only seriously  
 injurious to the Indians, but seem to have  
 produced general dissatisfaction throughout  
 the Province among both the friends & enemies  
 of the original Charter.

The Memorialist states that the accuracy  
 of his presumption that "the lands which perhaps  
 the greatest intrinsic value are sold first,"  
 manifest on a comparison of the average prices  
 received for lands in the years 1833 & 1844 refer-  
 ring when a decrease in the value of land to  
 the amount of two shillings per acre appears  
 in the latter years as compared with the  
 former. On examining the reports of the  
 sales during 17 years, the Committee find that  
 this inference is not warranted, for the  
 average of the sales during each of the first 13  
 years is less than the average of the last four.  
 The lowest average of this latter period is  $30\frac{1}{4}\%$ ,  
 the lowest of the former is  $1\frac{1}{2}\%$ , when a large  
 amount of sales was effected in Kilmot, where  
 the price fixed by government was  $12\frac{1}{6}$  per acre)  
 whilst the highest average of these two periods  
 are respectively  $32\frac{1}{10}\%$  in 1842 &  $26\frac{1}{5}\%$  in 1839. It  
 may be true that the land first sold were  
 of greatest intrinsic value; but the proof  
 offered by the Memorialist is entirely insufficient.

The Memorialist further states it is believed  
 no evidence of the evils resulting from the system  
 of selling as hitherto practiced by the Council  
 that "although for nearly 12 months as the journals  
 all show, he has sought information in vain



as to the number of leased lots originally granted to these lots are to be added the lots which the College Board in pursuance of the same leasing system, granted upon lease so that by the returns furnished by the Bureau in 1843 they are left in possession of only 54,700 acres out of 290,000, and the sales have been effected out of these leased lots at a price in many instances scarcely exceeding that which the College placed upon its wild lands."

As the Committee cannot trace any connected argument in this paper, they will merely observe that they have no reason to believe that the delay in submitting the information, asked for by the Memorialist, has arisen from any other cause than the difficulty of collecting accurate details, & the constant business of business in the Bureau office, requiring his immediate attention. They are wholly unable to perceive the connexion which exists between that delay & the addition to the lots originally leased of those leased by the College Board; although it is true that the Memorialist has sought that information in vain for nearly 12 months, yet it does not appear in any way to follow from this, that to those leased lots regarding which information has been sought, are to be added as the statement that "by the returns furnished by the Bureau in 1843 the Corporation are left in possession of only 54,700 acres out of 290,000 acres" might possibly be misunderstood it seems expedient to observe that even at the beginning of the present year the portion of the endowment in lease and unoccupied was more than half the whole amount granted.

The Memorialist is most probably correct



in saying, that "the value has been effected out of the lands at a price in many instances, exceeding that which the College places on its wild lands." But it must be remembered that the minimum price, as fixed by the Council, was, placed without reference to the existing value of the wild lands belonging to the Corporation & that its object was to secure the perpetuity of the portions of the endowment at present considered of but little value, until they reached the arbitrary standard - consequently it might in some cases happen that the nominal value of their wild land might exceed the real value of the leased lots.

With reference to the opinion of the Memorialist that "there is no necessity to alienate any portion of the endowment for the purpose of erecting the University building," it appears unnecessary, to offer any other observations than that this whole subject was most fully discussed by the Council in 1842 & that there is on the Minutes a most elaborate report by Capt. Macaulay on the state of the finances, which was made the basis of action in bringing the establishment into operation; and that the proposition of His Excellency Sir Charles Bagot to pay the expenses of buildings out of the arrears of Interest & Rent was fully considered previously to any proceeding being taken as to erecting the Wing at present completed.

The Committee will now proceed to the consideration of the second principal topic of the Memorialist & scil. "the use, which, it is asserted, has been made of the Capital proceeds to meet & bear current expenses."

The chief, if not the only argument, advanced by the Memorialist on this subject is derived from a comparison of the state of the endowment in 1843 & 1845, as exhibited by him in appendix B -



the supposition that the details therein given by the Memorialist are correct, it is easy to show that his inference is not warranted. The result at which he arrives is that "the total decrease of Capital since 1843 is £9,205.7.9". But he forgets that during that period considerable sums had been spent on objects, to which Capital is legitimately applicable. On comparing the Assets, as given by the Bursar in 1842 with a similar return for 1845, it appears that there is a great increase in the latter year produced by the completion of the Building & by the provision of outfit. In 1842 there had been spent on Buildings & Outfit £8,731. 10. 5, of that £6,000 were for the Building. The balance of the rest of it -- more than £4,000 -- was paid in 1843. The outfit in 1845, is stated at £7,000 -- from which it appears that more than £4,000 were spent on this during 1843 & 1844. To this also must be added £1,000 paid in the latter year on account of materials for the West Wing. It appears then that the alleged decrease of Capital can be satisfactorily shown not to have been caused by expenditure on current charges, but on legitimate objects.

But the statement as given by the Memorialist in that Tabular view, is in some respects inaccurate: in the first place the year 1843 is throughout substituted for 1844 or else 1845 for 1844. The two Returns of the Bursar to which reference is made extend respectively to Dec. 31, 1843 & 1844, & therefore give the state of the endowment at the beginning of 1844 & 1845. -- Again the amount of purchase money outstanding in 1845 should be £60,389 not £67,491. For this inaccuracy, however, it is probable that the Memorialist is not responsible, as the latter sum was erroneously given by the Bursar himself, when the Returns were first submitted to the Council. The same



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excuse cannot however be made for the statement of the Upper Canada College arrears. In this item it is stated by the Memorialist, that the Capital has been diminished by £2402, the difference between £6,402 the amount of those arrears as given by him in the column for the endowment in 1843, & £4,000 the amount given in the columns for the endowment in 1845. That the Memorialist is inaccurate in both these accounts, a reference to the Bursar Returns, from which he professes to derive his information, will show that he has not correctly represented that officer's statements relative to this item. In the Returns furnished to the Land Committee the following is the Bursar statement.

Arrears of Upper Canada College at the end of 1842, then amounted to £6,402.0.4. They have been diminished since. Probably as much more will be collected as will produce per annum £100.0.0"

The Memorialist had therefore no authority from the Returns for stating that the arrears of Upper Canada College were at the period to which he refers, £6,402.

In the returns furnished to the Chancellor & House of Assembly in 1845 those arrears are stated to be £5,805.7.3 both by the collector of the College & the Bursar. The latter indeed in the estimate of the Appts made the following entry "College dues in arrears £5,805.7.3 - say £4,000" But it is evident, that the assertion of the Memorialist that under this head in one year there has been a diminution of Capital to the amount of £2402.0.0 is wholly unauthorized by the returns from which he appears to derive his information.

In some of the observations also offered by the Memorialist on different items, the Committee regret to perceive evidence of want of due consideration.

The Memorialist observes in reference to the Rent Roll that "it remains the same in both



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years although from the returns it appears that the leased lands are diminished to the extent of 6710 acres" - as if he thought that these two facts were incompatible. If he had recollected that in the Rents there is a septennial augmentation, & that every year rents are entering on their second or third period, he would have been at no loss to understand how it might be that although the number of leased lots was diminished yet the Rental remained unchanged.

The Committee cannot understand why the Memorialist should have used the term Rent Roll as applicable to this head. Certainly it is not used in the Barras Returns. Nor is it the proper term for the item as given in these Returns. The Barras does not give an estimated Rent Roll but estimates the receipts for rents; the Rent Roll probably much exceeds the estimate but it is not likely that the receipts will.

The observation of the Memorialist on the "outstanding purchase money" "No credit has been apparently given for the proceeds of land sold in 1844" contains an unwarrantable insinuation against the Barras, whose integrity & accuracy the Committee have no reason to doubt. If the Memorialist had made proper inquiry regarding the subject, previously to printing his suspicions he would have found that the amount of purchase money received in that year was about the same as the amount of the proceeds of land sold, & therefore the amount of purchase money, outstanding must remain about the same in 1843 & 1844.

But, however, although the Memorialist has failed to prove that the Capital has been applied to the payment of current expenses, it is highly important to inquire whether it is the fact that there has been such an application of the Capital. It is plain,



that strictly speaking the sums received by transmitting the endowment into money should be regarded as Capital; whilst the Rents & Interest on Installments due form the Annual Income. This Capital is to be employed in two ways - either in purchasing profitable investments or in buying the Stock necessary for conducting the business of the establishment, i. e. Grounds, Buildings & Outfit. It is also evident that the annual income, consisting of Rents & Interest on installments due, may be legitimately expended on current expenses. The Committee submit some tabular views from which, they conceive, it will be apparent that not only has the Capital not been applied to pay current expenses, but that a considerable sum has been taken from the annual Income, & applied to purposes to which Capital is legitimately applicable; - for the Capital at present in existence in money, Securities & Stock is much greater than the amount of Capital actually received for the sale of lands during the existence of the Institution.

But it may be said - although the Capital has not been encroached on in any improper way, during the past 17 years, yet the present annual income is inadequate to bear the present charges on it. - The Professor's Estimate of Income contains 10 sources:

1. The Interest on Investments in Securities & Bank Stock.
2. The Interest & Rents from Investments in Mortgages & Productive estate.
3. The Rents for lands under lease.
4. The accruing Interest on purchase money outstanding of lands sold.
5. The Interest on arrears due for Interest of Purchase money.
6. The same on arrears due for Rents.
7. The Due for students in the University.



8. The dues to students in Upper Canada College.  
9. The interests on moneys due to Upper Canada College.  
10. The annual grants made by the Legislature to  
Upper Canada College.

Of the sources of Income, which may be regarded  
as certain, are 1. 2. 3. 4. & probably 10. - & 8. 9. 4.  
5. 6. & 9. may be regarded as uncertain.

The advantages of this classification of the sources  
of income will be apparent when it is reviewed  
- hence that whatever the annual receipts may  
be, the annual charges must be met.

The estimate of the annual Income for  
V 1842 is probably not too high, but there is,  
however, some uncertainty, such as is almost  
necessarily incidental to the rental of lands  
highly in this country; this indeed this  
uncertainty is one of the strongest arguments  
which can be advanced against retaining  
the present tender subvention.

With regard to 1. 4. 5. 6. & 9. the Bureau  
gives the estimate of what he considers may  
be at present spent in anticipation of their  
future collection.

But the Committee do not consider it  
necessary to enter into this description of  
the accuracy, or inaccuracy, of this estimate,  
as it appears to them unquestionable, that  
for some years it may be occasionally  
necessary to pay the annual expenses from  
some other source than the more annual  
income collected from these sources regarded  
as capital.

This was the opinion of the Finance Committee  
in 1842 and it was on the supposition of the  
necessity of this that their report was based.

The following extract from that Report  
will sufficiently explain the opinion of the  
Committee & of the Council; "In the document  
current at 4,000 is entered as the charge on



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account of the University for the present year -  
£4,000 to be some books & instruments to  
purchase the museum laboratory, & incidental  
expenses. £10,000 is appropriated as a building  
fund to be expended within four years from this  
date. £2,445 is allowed in the annual charge  
on account of office Canada College £1,500  
for the expenses of the Museum Office which  
includes keeping the grounds in order & sundry  
miscellaneous expenses. The several sums required  
to be borrowed may be taken from the incoming  
capital of the Institution, the receipts of which  
will, probably, fully meet these demands.

The debt required to be incurred with the  
scheme in 1865, when the annual income  
will amount to £14,000 to gether with the  
rent which may be receivable on 70,000 acres  
of land, which will yet remain unsold.

The Committee have observed that 6,400  
acres of land, which is below the average amount  
of annual sale, will be sold annually at  
an average price of £1,500 per acre, until  
all the lands now under lease & improve  
have been disposed of, viz: about 96,000 acres."

In his Report is subjoined a table giving  
the estimate of expenditure on account of  
the University, & office Canada College from  
1842 to 1867, in which the interest on the sums  
borrowed from capital is charged.

The Report is well worthy of careful consideration  
as it fully manifests the principle on which  
the present or even increased charges may  
be met without impairing the endowment.

To this also it is right to add, that the sum  
borrowed during 7 years from income may  
be repaid to it out of incoming capital.

The Committee having attentively examined  
the subject, have arrived at the conclusion

that there is no reason to apprehend, that



the papers will be concerned in maintaining the present expenditure of the principal recommended in the Report of the Finance Committee, in 1842 be carried out, in this report they conceive an improvement may be effected as to the income estimated then if a portion of the capital instead of being invested in Debentures yielded, as a fixed interest, more invested in funds yielding an equal or higher interest; & would a not increase in value with the improvement of the country. It seems also worthy of consideration whether the Corporation might not legitimately & advantageously apply a portion of their surplus to the purchase of small lands at the government prices in districts where improvement is expected.

Before concluding this Report the Committee feel it to be due to themselves to make an observation of the Remonstrant on "the sub-committee to reform & distribute the sale of village lands" "They are" he states "gentlemen inexperienced & wholly unacquainted with the value of lands in the country, and consequently in no respect qualified to fulfil satisfactorily the important duty required of them."

Although the sub-committee readily admit that they have not had the same kind of experience in land transactions as the Remonstrant has had, and have no desire to compare their reputation in matters of this nature with his yet they cannot believe that the interests of the Institution have suffered from the management of the affairs which the Council entrusted to their care, and can they omit remarking that the Remonstrant has himself more than once asked to act as a member of that sub-committee.



He is since it is true on the ground that  
 we are not in a position to make to the memorialists  
 of the estate of the University by name, but not  
 of course to the committee. It might  
 be thought that some compromise should be made on  
 this subject, and even such assistance in  
 making the records, but being it is a paper  
 of a kind which is not in question,  
 more connected to the institution for the purpose  
 of being with.

This course certainly would have been  
 more becoming than first to refuse the  
 aid of his experience & acquaintance with  
 the subject & then to find fault with those  
 who at least have done their best to disch-  
 arge the duty which was committed to  
 them. The committee cannot but feel  
 that the Memorialist should have been  
 amongst the first of the members of the  
 University to raise any question as to qual-  
 ifications for or attention to important trusts.  
 They also conceive that it would have been more  
 judicious for him to have deferred any objections  
 on the course pursued by the former & present  
 managers of the Institution in their desire to  
 promote its success, until he had himself  
 given some more convincing demonstration  
 than was which he has yet manifested  
 of the zeal & ability with which he prosecutes  
 his measure. Neither can they think that  
 charges simply of negligence and inaccuracy  
 come with a good grace from an individual  
 who has himself exhibited both in the very  
 document in which he professes these charges  
 & whose characteristics as a member of the  
 governing bodies, have certainly not been diligence  
 or precision.

The committee do not question the motives  
 which have moved the Memorialist not merely



to oppose the views of his colleagues in council,  
and also to place them in an unfavorable  
light before the authorities & the public but  
they will exempt their conviction that such  
a course is most highly injurious to the  
Institution, & that no establishment espe-  
cially a University can be well conducted if  
the majority will not be satisfied to yield  
their opinion to that of the majority. But  
if the resistance of a minority should be  
able, as in the present case to impede the  
operation or stop that course which the  
rest of the governing body consider to be neces-  
sary for the prosperity of the establishment, it  
appears to the Committee that not merely,  
the safety but the very existence of govern-  
ment is destroyed, & that anarchy & con-  
fusion must be the result.

There are some other topics incidentally  
noticed in the Memorial which the Committee  
think open to amendment, but as they are  
not immediately connected with the principal  
subjects they deem it advisable to defer  
noticing them at present; particularly as  
the number of those on which they have  
considered it necessary to offer remarks,  
has been so great; they will therefore submit  
in conclusion the following suggestions.

1. That the sale of lands shall be resumed  
& continued until all the recent endowment  
shall have been disposed of except such lots  
as may be advantageously kept under lease.
2. That the collection proceeds of such sales shall  
be divided in three ways, 1. Bursaries;  
2. Proficiency societies; 3. Bursaries in favour of  
vacancies.
3. That the collection of the arrears of interest  
& of Rent shall be more strictly enforced; a  
sufficient time being fixed within which the



must be paid.

And that the Treasurer shall submit with his annual quarterly returns a balance sheet, showing the receipts & expenditures on account of capital & income, distinguished as follows: The Treasurer shall take as receipts the proceeds collected of shares sold; & as disbursements all payments for investments for mortgages; for interest & such other expenditures as are usually borne by capital & the income. He shall take as receipts all rents, interests and fees collected, grants made; & miscellaneous items not before mentioned; and as disbursements the expense of management & the salaries & contingencies of the University & College.

If it should happen that one of these services requires aid from the funds of the other, such circumstances shall be intimated in advance & the service so borrowing shall be repaid with the loan & charges with interest thereon.

June 17<sup>th</sup> 1845 (Signed) John M. Saul

Chairman



# Hings College

Statement of the Receipts & Expenditures on account of Capital from the year 1828 to January 1843.

Receipts	Amount		Expenditures	Amount	
Royal Grant for building.	4,488	12	University expenses with improvements	13,363	17
Proceeds of sales collected.	13,216	1	W. E. Perry	10,290	5
			Merchandise for S. W. Perry	1,000	0
			Grain	200	0
			Antislavery Theatre & Meetings	391	11
			Magazine, Hall, Library, Apparatus, Museum		
			and stock in general	7,106	17
			Balance	32,632	10
				50,103	2
				890,016	0
					10

It appears from the above that the capital received exceeds the original fund by £890,013. 0. 10.



Hugo College

Balance forward 1891 \$100.00  
From the proceeds of the sale of the building 1891 100.00  
Total 200.00

Receipts	Disbursements			Balance		
	1891	1892	1893	1891	1892	1893
Interest						
Donations						
From the proceeds of the sale of the building						
Total						

It appears that the income received exceeds the income spent by \$27,365.12 or 3 3/4%.

It remains then to account for the two balances

Deposited \$1,103.20  
Income 27,365.12 or 3 3/4%

Total \$1,103.20



# U. of C. Canada College.

Statement of the Receipts & Expenditure  
for the year 1829 to 1830.

Receipts	Amount		Expenditure	Amount		
Voluntary Grants	13,049	10	Buildings & Appurtenances	18,941	2	3
Proceeds of Sales of Land (valued)	10,430	3	Salaries & all other current expenses	70,573	19	1 1/2
Do. of Land sold	1,235	7	Repts & investments	1,759	4	0
Interest	2,626	4				
Rents	394	9				
Gifts	24,125	1				
	52,611	6				
Balance	30,669	19				
	41,281	5				
				41,281	5	4 1/2

It appears from the above that the expenditure exceeds the Receipts by £30,669. 19. 0. which amount was supplied from the funds of the University.



Statement of the application of the surplus capital  
 of the Province.

Debtless Mortgage bank	49,070	13	3/4
Buildings & grounds, Upper Canada College	11,940	2	3/4
Recess, & current expenses of Upper Canada College	19,721	16	9/16
	80,731	14	5/16



memorial entered  
111-116.

Report received & adopted  
by Council on the 18<sup>th</sup> June 1848.  
C.M.B. p. 206.

The said Committee report that they have made minute enquiry into the particulars of Mr. Mainland's case, as detailed in his Memorial to His Excellency the Chancellor.

It appears that about the latter end of the spring of 1844 application was made verbally to the Bureau by Mr. G. G. Gristley relative to the purchase of the cat. 8h. 2.11 A. Gristley & that; when the application was submitted to the Council, they declined selling it principally on the ground that they did not wish to part with any of their property so near Toronto.

On the 14<sup>th</sup> June Mr. Gristley addressed a letter to the Bureau a copy of which is annexed (No. 1)

This was read in Council on July 17 & the proceedings on that occasion are recorded in the Minute of which a copy is annexed (No. 2)

A copy of the Bureau reply is also annexed (No. 3)

On February 19<sup>th</sup> 1845, the case was entered amongst those intended for the said Committee at their meeting held on that day, but no action was taken thereon inasmuch as the Council had already decided that the cat in question should not be sold & the matter had not been formally referred to the Committee by that body.

On Feb<sup>y</sup> 20<sup>th</sup> 1845, the case was brought under the consideration of the Council by Mr. Gristley who read a letter from Mr. G. G. Gristley of which a copy is annexed (No. 4)

The matter was then referred to the Committee by a minute, a copy of which is annexed (No. 5)

In the meeting on April 3<sup>rd</sup> the subject was discussed, and it was decided, that a resolution should be made to the effect that the cat should be sold to Mr. Gristley.



The following were the votes on that occasion.

<del>The President</del>	<del>Prof. Gwynne</del>
<del>The Secy</del>	<del>Prof. King</del>
The Chairman (W. West.) gave the casting vote in the Aff.	

In April 1845 the committee reported their recommendation which was accepted by the Council the votes being.

<del>The President</del>	<del>Prof. King</del>
<del>The Secy</del>	<del>Prof. Croft</del>
<del>The Principal D.C.C.</del>	<del>Prof. Gwynne</del>
	<del>Prof. King</del>

The principal grounds of Mr. Armstrong's complaint are 1. That the promise given to him in the Common Office have not been confirmed by the Council - & 2. That they have in this case departed from the practice of recognising the right of prescription in the College.

1. It appears that Mr. C. Armstrong in neither of his letters asserted the circumstances which is particularly asserted in the Memorial that the Council had given a promise that the said promise should be given to him.

In the contrary, it is stated in the letter of February 20th 1845, that the answer which was obtained from the said Council was, was received from a senior member Mr. Hawkins, in which the Council have never recognised the authority of any of their agents to enter into engagements for the disposal of the property of the Institution either by sale or lease and although they have generally satisfied the engagements entered into by the Council yet they do not feel themselves bound to confirm any promise given by that officer in as much as he might exceed his powers.



2. The Committee are willing to purchase the goods which they will make some new certain, been, as the Committee believe the rule adopted in the Council in similar matters & the refusal to sell in such cases the exception. But this Council have not only not recognised any obligation on the part of the goods to sell to their buyers, but have published their intention of exercising an option.

The Committee feel it to be unnecessary to enquire into the grounds of the Memorialists' insinuation that the conduct of the Council has been influenced by any personal bias, towards them inasmuch as they have no doubt that in this case as in all other transactions of the Council the Council regard only the interests of the East India Company. Their case has been preserved that not even one member was induced by the good solicitation of which Mr. Bristow's reports, to vote either for or against any application.

The Committee regret that the Memorialist should have considered it proper to introduce assertions not immediately connected with the facts of his case, & have hazarded assertions on points on which it is impossible that he could have had sufficient information.

As he has however not confined his remarks to those matters which would have specially engaged his attention, the Committee feel it to be their duty to advert briefly to some of the points which he has considered himself at liberty to notice.

The Memorialist states that "Mr. Bristow" made the application for a loan to the sub-committee who had now examined the case & given to an extent which your Memorialist believed showed no commitment on the



The former operations of the Council, the result of the information of the Committee &c. The Memorialist is sincerely sorry that these facts and such application was made to the said Committee was not the subject ever under their consideration by reference to either in 1891. He indignantly declares that in conference with each of the members of these sub-committees, & learned from two of them the the President of the same that their opinion was that the lot should be cast to him, that neither of them expressed any formal opinion of his right, as is ~~deliberately~~ stated by the Memorialist.

The Committee know not what prompts the Memorialist now for declaring that the action of the sub-committee shows a discrimination from the former operations of the Council. But of this there can be no doubt that that in which he asserts his belief is contrary to fact.

Neither can the Committee learn from what member of the Council the information was procured that "the operations in the Council to date have been got sidetracked by the appointment of a sub-committee by whom they were more exclusively managed, & that upon application to that Committee the Memorialists rights would be at once recognised."

This however is stated that the information by whomsoever given is entirely incorrect.

The Memorialist further expresses the apprehension which he has felt "that the various Council were supposing a larger portion of the endowment than the necessities of the University would require." The Committee



cannot but feel that the Memorandist is very unnecessarily apprehensive on a point on which it is impossible that he can have sufficient information to enable him to form any opinion entitled to consideration. I am inclined to think that he has been misinformed as to the grounds on which the Minutes of his testimony to which he refers were made.

The Memorandist also states that "he was informed from undoubted sources, that: even since the date of the two Minutes the Council have made some of said to a very considerable extent in other quarters." The Committee are not aware from what sources the Memorandist derived his information on this subject, but there is doubt that the statements of informant is contrary to fact. As appears from the Monthly Returns of said sale since the date of His Excellency's Minute, that but 6 lots containing 330 acres have been disposed of, of these there were 4 which the Council were under engagement to sell one had been under consideration before the Minute was received, and was decided by the Council at the same meeting in which the Document was first received & the remaining one was not a new one but comprised in a new application to purchase what had before been sold to another party.

The Committee in conclusion desire to observe that there does not appear to be any reason for the complaint of the Memorandist, if he retained in mind as much that he received and unlike answers to his application relative to the lot in question for it appears that but one



letter was addressed to him to the proper person  
 & that he received a written reply.  
 (N<sup>o</sup> 6)  
 The Committee under the Bureau  
 of Agriculture on these points of the Memorial  
 in which reference is made to him in his office  
 June 17<sup>th</sup> 1845.

(Signed) John McCaul, Chairman

N<sup>o</sup> 1.

Copy

to the Bureau

June 14<sup>th</sup> 1844

Bureau of Agriculture

Sir

I regret exceedingly that the  
 failure of our cause has come to the determination  
 you inform me of as it places me in a  
 very embarrassing position for upon  
 the assurance I received at the Bureaus  
 Office that the Council had rescinded  
 their former order not to sell their land  
 & in all probability the lot mentioned  
 could be obtained at the minimum price  
 of \$250. per acre I entered into arrangements  
 with Mr. Watkins (the Agent) to purchase  
 his right from which I cannot now recede  
 and which I should not for a moment have  
 contemplated had I not felt secure from  
 information that I could ultimately obtain  
 the fee simple of the land.

I considered that I was paying dear for  
 it at the minimum price for the land  
 for agricultural purposes is really worth  
 nothing, and it is not I should imagine in  
 a situation ever to become valuable for  
 any thing else the frontage being very  
 narrow, in addition to this it is stripped  
 of its timber, and full of Pine Stumps.  
 I purchased the adjoining lot of 70 acres for  
 \$1200.00 of Mr. Allen in March which has



twice as much. I suppose I might have  
 got more for it, but it was a valuable working horse  
 on it, and the neighbouring farms are to  
 be brought at a corresponding price but as  
 I have already given \$150. for the same of  
 course your lot is the one I want.

I shall feel extremely obliged  
 if you will lay this matter before the  
 college council at their next meeting,  
 so that convinced that on a reconsider-  
 -ation of the subject they will alter their  
 determination of making a special  
 reservation in my case.

Yours &c.

Yours &c. &c. &c.

Signed: Edward Christiancy

## N<sup>o</sup> 2.

Extract from the Minutes of the proceedings  
 of the Council of King's College at a special  
 meeting held on the 19<sup>th</sup> of July 1844.

Present:

The Honble & Right Honble Lord Bishop of Toronto  
 President of the University

The Revd. Chas. McCreath D.D. Vice President &

Rev. Canon Beaven D.D. Prof. of Divinity

Richard Potter Esq. M.A. Prof. of Mathematics

Dr. H. Smith Esq. B.A. Prof. of Chemistry &

Dr. J. G. M. Esq. B.A. Prof. of Natural History

Dr. H. B. Esq. B.A. Principal of the College

A. P. 12. I read a letter dated the 14<sup>th</sup> of July from  
 Edward Christiancy Esq. representing that  
 from the information he had gained at the  
 College Office that the Council were  
 now sitting their minds he was well  
 secured that he should be admitted to the  
 the 8<sup>th</sup> of Oct 35 at the Council in A. P. 12.



and not in consequence, purchased other  
land contiguous and expressing his dis-  
appointment at not finding the Council  
made a proper reservation of this lot;  
and pressing of them to reconsider the case  
and allow him to make the purchase at it.

The Council regret that Mr. Johnston  
should have been under such apprehensions  
as to their intentions relative to the lot  
that he wishes to purchase, and cannot  
alter their determination of reserving it  
as their extract.

Signed

J. J. Bayne

Registrar C. C.

No 3.

Signed  
S. J.

R. C. C. Toronto

22<sup>nd</sup> July 1844

Your letter of the 14<sup>th</sup> instant  
was read in the college council at the meeting  
of the 17<sup>th</sup> instant when I received instructions  
to inform you that—

"The Council regret that you  
should have been under such apprehensions  
as to their intentions relative to the lot  
which you wish to purchase, but cannot  
alter their determination of reserving it.

Thine the Registrar

x x

Signed

J. J. Bayne

Registrar, R. C.

No 4.

Signed  
S. J.

Toronto July 20<sup>th</sup> 1844

I believe that you are one  
of the large college council. I wish to address you  
on a subject connected with the land  
department of that institution.

About 12 months ago I purchased 70 acres  
situated on the Kingston road about 6 miles



from friends from the west of the country low  
Alameda through his power of attorney the  
Bank of the State was willing to build a house  
on the out grounds then was anxious to  
extend an proposition, Mr. Watkins a  
gentleman residing in the neighborhood  
hearing this, sent some to see that he  
with the Alameda property was desirable  
from the village council that he wished  
to know what he should do for a name  
that would make a purchase at the  
office office and if the fee simple could  
be obtained at a reasonable rate he could  
rely on it for a name. He made the applica-  
tion and was told that some of the  
office lands were for sale, and that answer  
being returned to Mr. Watkins my negotiations  
with him were closed. However some few  
weeks after Mr. Watkins told me that he  
had been from some authority that the  
determination of the village council not to  
sell lands had been altered and that they  
were now open for sale again, upon which  
I considered that without reluctance I would  
immediately appear at the office and if his  
information was correct to negotiate further  
with him. Therefore attended at the village  
office according to order of my Brother  
& Mr. J. Lewis and agent Nathan. I had  
my blank general to be filled up, furnished  
Pagan's signature of the land describing it by  
numbers as was for sale and the risk was  
"yes" he then at my request put down  
my name as an applicant to the purchase  
of it, he told me the price would be fixed by  
the council at their next meeting. Therefore  
left the office perfectly assured that I could  
purchase the right of soil, and accordingly  
gave Mr. Watkins \$150. for the unpaid



from which I have been so much benefited, and I have frequently  
 written to him, and now only, I am that I might  
 be able to give it from the evidence, shortly after  
 Mr. Davis's death, to make further inquiries  
 that I might be enabled to do so. I have been told that the same  
 that was in the mind of the man in the same time.  
 Thus I will say now, and relying on the  
 information given me when my name  
 was proposed as a candidate. I have very  
 anxiously, asked my friends with regard to  
 the situation. It that is, as I expected  
 shortly to be the owner of the whole property  
 I have feared my name much nearer to  
 the church than I otherwise would have  
 done. I addressed Mr. Davis in a letter afterwards  
 but without effect, I might perhaps not  
 so fully have explained it as I ought my  
 present object in writing, now, is to request  
 that you will oblige me, by my own saying, my  
 case before the committee as it is a very serious  
 affair to me the time is of the present question  
 and certainly will never be put under a  
 vote, and I mean to say that I would  
 be bound to do so, even if they  
 were the owners. The fact is, however, by the  
 circumstances of the case in common the owners  
 not thinking it worth fencing, I should have  
 no any doubt entertained respecting the answer  
 given to me at the office, it was, not but  
 sufficient to say that I can obtain a deed  
 of both my brother and Mr. Davis. I beg to  
 apologise for this, and I am, as you are  
 I remain  
 Dear Sir

I am, very respectfully,  
 (signed) Edward Christianly



Extract from the Minutes of the Council  
holding office at a meeting, held on the  
26<sup>th</sup> February, 1845.

Present

The Hon<sup>ble</sup> Right Rev<sup>d</sup> the Bishop of Bristol  
President of the University.

The Rev<sup>d</sup> John M<sup>r</sup> Paul, D. D. Vice President.

The Rev<sup>d</sup> James Beaman, D. D. Regius Professor of

W. H. Craft, Esq. Regius Professor of Chemistry, &c

W. C. Gwynne, Esq. M.D. Regius Professor of

John King, Esq. M.D. Professor of the Theory and  
Practice of Medicine

J. M. Beaman, Esq. M.D. Principal of M. C. C.

"Mr. G. - J. Beaman submitted a letter from  
"Mr. Dr. Beaman, saying it to be referred to  
"the purchase the East India Co. lot 35 in the  
"Broken Point A. and Beaman for reasons  
"which he had not fully stated on a former  
"occasion

"Referre to the Land Committee."

a true extract

Signed

W. H. Gwynne

Registrar R.C.

N<sup>o</sup> 6

Remarks of the Bureau on the page  
in Mr. Dr. Beaman's Memorial to His Excellency  
the Chancellor dated 12<sup>th</sup> May, 1845, which  
relate to the Bureau in this office

Exposure of the Memorial

Remarks

That the result of this It has been the invariable  
usage of the Bureau custom of the Bureau to deny  
office was that the every right in the defence to

...of the ...  
...the ...  
...the ...  
...the ...  
...the ...  
...the ...  
...the ...  
...the ...  
...the ...  
...the ...

...Remarks  
...The utmost he  
...could have told Mr. ...  
...was this that if the Council  
...were desirous of offering any  
...lot for sale  
...they would in all probability  
...give the refusal of it to  
...the ...

He may also have admitted  
the probability of their not  
refusing to sell this lot to  
Mr. ...

The ... promised to  
submit the lot to the Council  
for the purpose of a price  
being put on it.

The ... made this  
promise and fulfilled it.

The ... said the minimum  
price of the ... lands is  
five dollars per acre and in  
... can ... certainly  
say that will be the maximum  
price.

The ... has not the  
most recollection of using  
this expression; however it is  
a point of no consequence as  
the question is not about the  
price of the land.

...on the ... and  
...invariable ... of  
the ... Council ... the  
... the ... of ...  
and on the repeated promises  
made to Mr. ... by  
the ...

The ... denies having  
made any promise whatever  
to Mr. ... except  
that he would bring the  
case before the Council which  
he did accordingly.

...Mr. ... expressing  
his surprise to ... that  
a refusal to sell should be  
given after a distinct promise  
had been made, ...

The ... never could  
have admitted that a promise  
had been made; nor does he  
think he used the words ...  
attributed to him. If he said



observed that the Council were very arbitrary but that he thought he could hold out strong hopes that the act would eventually be conveyed to your Memorandum

"fearing that the matter had not been fairly represented to the Council by the Bureau and that he might not have informed that body of the repeated promises made to Mr. C. W. Wintanley"

"that the selection of his claims could have arisen under the report and misrepresentation on the part of the officials in the Bureau Office where conduct thereabout has been marked by insincerity & misrepresentation which he reproaches himself 'inexplicably' to establish by unexceptionable testimony."

the harsh terms "arbitrary" as applicable to the Council it must have been in fact.

The Bureau never concealed any part of the transaction from the Council, nor even made any promise to Mr. Wintanley

The officials in the Bureau Office have done nothing prejudicial to Mr. Wintanley save for the Bureau he has brought the case under the consideration of the Council at what he has considered to be the most favorable moment; which was all his duty permitted him to do. He is quite certain Mr. Wintanley cannot bring forward any testimony sufficient to sustain the assertions here made.

King's College Office 14<sup>th</sup> June 1845

Signed!

H. Boy

Bureau, K. C.

111  
Memorial of the To the Right Honorable Charles Theophilus Baron Metcalfe.  
Hon<sup>d</sup> Chas. Winstanley, Chancellor of the University of King's College, &c. &c. &c.  
to His Ex<sup>ty</sup> the The Memorial of the Reverend Charles Winstanley of the  
Chancellor. City of Toronto.

The original of this memorial  
relates to Mr. Higginson, with  
the Report thereon to the Land  
Committee, in the House of  
Commons, 27<sup>th</sup> June 1885  
see the book p. 116

May it please Your Excellency.  
Your Memorialist feels himself very reluctantly  
compelled to place before your Excellency, as Chancellor of  
the University, the following statement relative to a transaction  
which he has recently had with the College Council and which  
appears to your Memorialist to call for your Excellency's interference.

Your Memorialist is a clergyman in Holy Orders of the  
Church of England and came to this country in the autumn of  
the year 1843.

One of the principal objects which your Memorialist had  
in view in leaving England, was to invest his surplus capital  
in such a manner as might prove advantageous to his family.  
Accordingly since your Memorialist arrived in this country  
he has made various purchases of land in the township of  
Scarboro' for the purpose of agricultural improvement;  
and with the view of throwing his separate purchases into  
one property, and thereby giving unity to his agricultural  
operations, his investments have generally had reference more  
to the circumstance of the lots lying adjacent to each other than  
to their intrinsic value.

The first purchase which your Memorialist made with  
reference to the subject of this Memorial was a lot of 70 acres,  
being the south half of lot N<sup>o</sup> 34, Concession A in the said Township  
of Scarboro'. The east half of lot 35, lying adjacent, was then  
held under lease by C. Watkins, Esq, from the Council of King's  
College. The soil of the latter half is on the whole of an inferior  
character, but from the manner in which your Memorialist  
proposed to extend his property, it became of considerable importance  
to him to be possessed of it even at a price beyond its intrinsic  
value. Mr Watkins himself was desirous of selling his lease, but  
as he had no written agreement with the College-Council giving  
him the right of pre-emption and could only assure your Memorialist  
of their uniform ~~usage~~ usage in allowing to lessees the privilege  
of purchase at the termination of their leases, your Memorialist did  
not feel disposed to treat with Mr Watkins until he had ascertained



what prospect he had of a conveyance in fee from the College Council.

Your Memorialist accordingly about the latter end of the Spring of 1844, instructed his son Mr Edward Winstanley to make the necessary inquiries at the Purser's Office; and if he found that a conveyance could be got, to enter into the requisite contract with the College Council. The result of these inquiries was, that the Council had invariably recognized the right of pre-emption in Leases, and that in the case of your Memorialist there could not exist the slightest difficulty in obtaining a deed. It was at the same time intimated by Dr Boys, the Purser, that as the Council had not determined on the price of the lot in question, a short delay would necessarily occur till the transaction could be completed but that as the price was always in the first instance, fixed by the Council the matter would be submitted to that body at their first meeting.

~~Not~~ having heard anything further on the matter for the next three weeks, Mr E. Winstanley again called at the Purser's Office, after the lapse of that period, when Dr Boys apologized to him for the delay that had taken place in ascertaining the decision of the Council as to the price, but he observed that Mr Winstanley need be under no apprehensions on the subject of a sale, and as there would be a meeting of the College Council very shortly he (Dr Boys) would take care that the price of the lot in question should not be overlooked. On Mr Winstanley replying that he would like to know the price as early as possible, inasmuch as he was anxious to close the transaction with Mr Wathen's, who, if any delay should occur, might, in the mean time, dispose of his interest to another party, Dr Boys further observed, that he (Mr Winstanley) might set his mind at rest on the subject - that he (Dr Boys) was well acquainted with the lot in question, which he knew to be very inferior soil, and he continued "the minimum price of the College lands is five dollars per acre, and in your case I should certainly say that will be the maximum also."

Relying on the uniform and hitherto invariable usage of the College Council, of giving their Leases the privilege of pre-emption and on the repeated promises made to Mr E. Winstanley by the Purser and confident in the assurance that the good faith of the Council would justify the promises of its officers, - Your Memorialist felt no hesitation in purchasing the interest of Mr Wathen's for which

he has actually paid the sum of £150.

For the purpose of still further enhancing the value of his property, and of adding to his own personal comfort and convenience, your Memorialist had, for some time previous to this purchase, had it in view to erect on this property a dwelling house and offices suitable for the accommodation of himself & his family; and being desirous that his dwelling house should occupy a central position in reference to the acquisitions of surrounding land which he had made or was making, your Memorialist immediately on completing his contract with Mr Watkins, commenced building at the extremity of the lot of land first referred to in this memorial (being the south half of lot 34) and immediately adjoining the East half of lot 35 the fee simple of which was still in the Corporation of King's College.

While your Memorialist's operations were going on but not until he had expended several hundred pounds in buildings and other improvements a verbal message was left with Mr E. Winstanley by one of the clerks of the Purser's office, to the effect, that the College Council had declined to sell the lot in question. No reason was assigned for this very unexpected proceeding, but on making further inquiries your Memorialist learned that the Council had suspended for a time the disposal of their lands, and that your Memorialist's rights had been sacrificed to a new principle which had been introduced into the management on Mr E. Winstanley, expressing his surprise to Dr Boys, that a refusal to sell should be given after a distinct promise had been made, Dr Boys merely observed that the Council were very arbitrary, but that he thought he could hold out strong hopes that the lot would eventually be conveyed to your Memorialist.

Fearing that the matter had not been fairly represented to the Council by the Purser, and that he might not have informed that body of the repeated promises made to Mr E. Winstanley, and believing that the new rule adopted by the Council could have no application to cases where a distinct promise had been made, your Memorialist instructed his son to call upon certain members of the Council for the purpose of placing your Memorialist's interests in a proper light. Mr E. Winstanley was informed that the suspension of sales had only existed for a week



or two - that the opposition in the Council to these sales had been got rid of by the appointment of a sub-committee by whom they were now exclusively managed, and that upon application to that Committee your Memorialists' rights would be at once recognised. Mr E. Winstanley accordingly made the application thus advised to the sub-committee, who had now resumed the sale of lands to an extent which your Memorialist believes showed no diminution from the former operations of the Council. The result of the determination of the Committee was that although they were daily making sales in cases where no promises had been made, yet as your Memorialists' claims had already been refused by the Council, to whom it had unfortunately been referred during the short period that the sales had been suspended it would be improper for the Committee to recognise it without the sanction of the other members of the College Council. Mr E. Winstanley however received every encouragement to pursue the claim, and certain of the members of the Committee, among whom were Dr Heaven & McCut, distinctly recognised his rights & promised to support your Memorialists' interests.

Your Memorialists claim was accordingly again submitted to the Council, from various members of which he received the most direct assurances of its undoubted success; and relying on these assurances his building & agricultural operations were continued. To your Memorialists great astonishment however he received a few weeks since, not an official, but a verbal & indirect intimation that his right to a conveyance could not be recognised by the Council.

Your Memorialist has since learned that a sudden stop has been put to the public sale of lands in consequence of the intervention of your Excellency as Chancellor of the University. The object which your Memorialist thus presents in view in troubling your Excellency is not to disturb any arrangements which your Excellency might see fit to make for the management of the endowment, but the contrary, your Memorialist has been apprehensive that the College Council were disposing of a larger portion of the endowment than the necessities of the University might require, but your Memorialist

cannot permit himself to believe, that your Excellency's  
Minute to the Council by which the sales of lands were  
temporarily suspended, could bear application to a case  
where all the essentials of a contract (except that of writing)  
had existed for nearly twelve months anterior to the date of the  
minute itself, and where, on the faith of that contract, your  
Memorialist, had purchased an existing lease - & expended  
large sums of money on improvements from which he could  
reap scarcely any benefit - Still less could your Memorialist  
entertain such a belief when he was informed from undoubted  
sources that even since the date of your Excellency's Minute  
the College Council have made sales of land to a very  
considerable extent in other quarters, - to an extent which  
has forced the conviction on your Memorialist that the  
College Council must have some reason beyond your  
Memorialist's knowledge or suspicion for selecting him  
as the victim upon whom a refusal to sell would fall  
with the most unrelenting severity.

Your Memorialist can the less hazard an explanation  
of the very extraordinary proceedings of the College Council  
because he is on excellent terms with the majority of its  
members for whom he has always entertained & expressed  
the most unqualified respect. And in such extraordinary  
circumstances your Memorialist is willing or rather  
forced to believe that an act of oppression and injustice  
is a stranger in this country so unprecedented as the one  
now detailed, could proceed from the members of the College  
Council only under an erroneous apprehension, and under  
the grossest misrepresentation on the part of the officials in  
the Bursar's office whose conduct throughout has been  
marked by insincerity & prostration. - Your Memorialist  
is prepared to establish by unexceptionable testimony the  
truth of the statements which he has now had the honor  
of submitting to your Excellency, and he respectfully thinks  
~~desires~~ that if the Council have exhibited no chariness in  
relaxing your Excellency's minute in other instances, he may  
with reason hope that your Excellency's authority may be  
extended to place your Memorialist beyond the influence  
of an order, which your Memorialist feels confident was not



intended to bear a stringent application to cases similar  
to his own.

Your Memorialist therefore humbly prays that your  
Excellency will be pleased to limit the operations of your  
Excellency's minute to the College Council in such manner  
as to allow of a Deed to issue from the Corporation in favor  
of your Memorialist in his fulfilling his part of the said  
contract.

And your Memorialist will ever pray, as in duty  
bound.

Toronto,

May 13, 1865.

Signed Charles Winstanley

Clerk, M.A. Oxon.

To

Sir

K. C. O. Toronto 27<sup>th</sup> June 1865

Mr. Higginson, Esq.  
Private Secretary, &c.

I have the honor to enclose to you the Minutes of the  
Council of King's College at their meeting held on the 18<sup>th</sup> Inst.  
for the purpose of their being submitted for the information  
of His Excellency the Governor General, Chancellor of this  
University.

For this Memorial & Report  
see the foregoing paper from p. 98.

At the same time I beg to return to you the Memorial  
of the Reverend Charles Winstanley which you transmitted to  
the College Council in your letter of the 20<sup>th</sup> Ult., accompanied  
with the Report of the said Committee to which the Memorial  
was referred - as directed by the 2<sup>d</sup> Minute of the proceedings of  
the College Council herewith sent.

I have &c. (signed) W. B. Esq. K. C.

To

Sir,

K. C. O. Toronto, 30 June 1865

Mr. Henry Hawkins

At a meeting of the Council of King's College held on the  
28<sup>th</sup> Instant the consideration of your resignation as communicated  
in your letter of the 19<sup>th</sup> March last was resumed when the  
Council were pleased to make the following minute - "That  
Mr. Hawkins be informed that the Council have taken into  
consideration his letter of the 19<sup>th</sup> March last, and that they have  
determined to accept his resignation as Senior Clerk in the  
Bursar's office as tendered by him in the said letter; and that  
the opportunity <sup>will be continued to him</sup> of defending himself against any charges  
which have been preferred against him." - I have therefore

the honor to make this communication to you for your  
information & guidance. I remain, Sir, &c.

(signed) W. Boyr, Bursar K.C.

To Sir, K.C.O.T. 30 June 1845.

Wm<sup>r</sup> Escombe, Gilkison, Henderson, Wilson, W<sup>m</sup> Muller, Armstrong, Rosnard

I am directed to acquaint you that the claims of the applicants for the situation of Clerk in the Bursar's office are under the consideration of a Committee of the College Council & that they are desirous of seeing any additional testimonials with which you may wish to support your application as you are amongst those selected by them for recommendation to the Council.

They also desire to have a specimen of your handwriting. I have, Sir (signed) W. Boyr, Bursar K.C.

To Memorandum, 30<sup>th</sup> June 1845. Sent Mr Higginson the Minutes  
J. M. Higginson Esq. of Council of the 25<sup>th</sup> instant.

To Sir, K.C.O.T. 1<sup>st</sup> July 1845.

The Hon<sup>ble</sup> D. Dale, Provincial Secretary

Permit me to request you will inform me whether the Legislature, before their separation at the last session, voted the usual Donation to Upper Canada College of £1000 Sterling for the year 1844 - and, if they did so, that you will move His Excellency the Governor General to direct a warrant for its issue. I have, Sir (signed) W. Boyr, Bursar K.C.

To Sir, K.C.O. Toronto, 1<sup>st</sup> July 1845.

D<sup>r</sup> King

I have the honor to enclose to you a copy of the several minutes of the Council of K.C. relative to the contracts for building the University. I have, Sir (signed) W. B. Esq. K.C.

sent the following minutes  
2<sup>nd</sup> Feb<sup>r</sup> 1839.  
2<sup>nd</sup> Apr<sup>l</sup> 1842.  
30<sup>th</sup> May "

To Sir, K.C.O. Toronto, 2<sup>nd</sup> July 1845.

T. W. Barron Esq

At a meeting of the Council of King's College held on the Principal of U.C.C. 28<sup>th</sup> Ult<sup>o</sup>. the following minute was made - "that the Bursar furnish  
"to the Principals of Upper Canada College a copy of the Resolutions  
"passed by the Council on May the 7<sup>th</sup> & 10<sup>th</sup>, relative to that Institution, for the  
"information & guidance of those concerned." - In compliance with the



said minute I have now the honor of enclosing to you a copy of the Resolutions referred to.

I have &c. (signed) W. Boyd, Secy. H. C.

To Memorandum, 3<sup>d</sup> July, 1845. Sent Mr Higginson the Minutes of Council of the 28<sup>th</sup> Ult<sup>o</sup>.

To Memorandum, 22 July 1845. Sent Mr Higginson the Minutes of Council of the 12<sup>th</sup> Instant

From  
Daly.  
Secy.

Secretary's Office. Montreal  
4<sup>th</sup> July 1845.

Sir

I have the honor by command of the Governor General to acknowledge the receipt of your letter of the 1<sup>st</sup> Instant requesting the issue of a Warrant for the usual grant of the Legislature for the Upper Canada College, and am to inform you in reply that a warrant has been issued accordingly for that Institution for the sum of £1111-2-2 being the amount voted for this year -

Signed D. Daly  
Secretary.

To Memorandum. 25<sup>th</sup> July - Sent Mr W. Higginson the minutes of Council of the 17<sup>th</sup> Instant.

To  
Hazardy Esq. Sir,

W. L. Lacombe  
25<sup>th</sup> July 1845.

Your letter of the eighth instant respecting the Well in the College Avenue was submitted to the Council of W. L. on the 12<sup>th</sup> Instant when I received instructions to inform you that the Council accede to your request and willing to contribute one half of the expense

of the Proposed Alterations

Signed H. Boys.

Lieut. Leeson  
R. Artillery

Sir,

W. L. Toronto

26<sup>th</sup> July 1845 -

I have great pleasure in communicating to you the following minute of the Council of W. L. made at their Meeting held on the 17<sup>th</sup> Inst.

"Lieut. Leeson of the Royal Artillery  
presented by direction of the British  
Government to the University of W. L.  
Toronto" Vol 1<sup>st</sup> for 1840-2 of "Observations  
made at the Magnetical and Meteorological  
observatory at Toronto in Canada."

"The Minutes were presented  
to express to Lieut. Leeson the thanks  
of the Council for the presentation  
and to request that he would have  
the kindness to convey to the proper  
quarters their high estimation of  
this valuable present."

Signed H. Boys.

Lieut. R. T. Tucker  
Registrar

Sir

Kings College Office  
Toronto 5<sup>th</sup> Aug<sup>r</sup> 1845

The Provincial Secretary informs me that a warrant has been ordered for the usual donation of \$1000 to Kings College, and for the issue to Kings College of \$1000 on account of a like sum paid over erroneously to the School fund. If these warrants have reached your office you would oblige us by forwarding them as soon as you can conveniently. It would enable us to meet an outlay we are about to make without disturbing our investments in Provincial Debentures -

Signed H. Boys.



From  
 A. M. Lean and  
 H. J. Graffitt.

Read in Council  
 28 May 1848

London 10<sup>th</sup> May 1848.

Under the impression that the Building now erected and occupied as a general Hospital in this place does not afford the necessary accommodation and is ill suited for the purposes intended and being more: - our anxious to throw open the ground on which it stands to be leased, in the expectation that it will in a few years afford a handsome revenue for the support of the institutions we are now devising of Commencing this season the erection of a Building which may be more ornamental and useful than the one now in use provided the necessary funds can be obtained on terms which shall not embarrass us in the performance of our ~~trust~~ trust.

As it is probable the University may have funds to invest and will no doubt for its own purposes desire to obtain Superior Hospital Accommodation, we beg that you will enquire on what terms and for what length of time a loan can be obtained of £4000 or £5000 the interest being payable  $\frac{1}{2}$  yearly.

We beg at the same time to state that in the present position of our funds we should be unwilling to embark in an undertaking of such magnitude if the arrangement at present existing between the University and the Hospital were likely to be interrupted within a period of 4 or 5 years and that it is only in contemplation of its continuance that we make the present enquiry.

To the Trustees of the  
Toronto Hospital

W. Toronto

11<sup>th</sup> Aug<sup>r</sup>. 1845

I am directed to ascertain from you the time at which the loan of money referred to in your letter of the 10<sup>th</sup> of May, last, could be repaid and also to state the nature of the Security to be given.

Although it appears probable that the arrangements between the University and Hospital may continue during the next four or five years yet it is impossible to guarantee their continuance during that period —  
Signed H. Boys.

From

Sir,

Private Secretary's Office, Montreal, 19 Aug<sup>r</sup>. 1845

J. M. Higginson, Esq.

I have the honor by command of the Chancellor to request that the President and Council will take the requisite steps for obtaining the opinion of the Visitors of the University upon the following questions—  
First—Whether it be competent to the Council to sell or alienate the Lands which form the Endowment of the University, for any and what purposes.

Second—Whether any thing can be done by mere vote of Council which the Charter authorizes to be done by Statute, Rule and Ordinance.

Third—Whether a Statute ought to be passed for the appropriation generally of all monies to be expended—that is to say—a gross sum for the Bursar's Office—a gross sum for any other incidental expense—the Library for example—and especially for the Salaries of Professors and other officers of the Institution.

Some doubts having arisen upon these points, the Chancellor thinks it desirable to invite the expression of the Visitors' sentiments respecting them, in order that their answers may serve to regulate future practice, and that if the past is considered to be in error it may be covered by proper Statutes. I have the

H. Boys, Esq., Bursar, U.C.

Signed J. M. Higginson

The opinion of the Visitors

was read in Council 28 Jan<sup>r</sup> 1846.

see C. M. B. p. 251.



From  
D. Daly, Esq<sup>r</sup>,  
Prov<sup>t</sup> Secretary

Sir, Secretary's Office. Montreal, 11 Aug<sup>t</sup>. 1845.

In reply to your letter of the 5<sup>th</sup> instant addressed to the Hon<sup>ble</sup> John Tucker, I have the honor to inform you that it will be necessary for you to authorize some person residing here, by Power of Attorney, to acquit the warrants now lying at the office of the Hon<sup>ble</sup> the Executive Council for the sums of £1000 Sterling and £16..11.3.

I have &c.  
(Signed) D Daly, Esq<sup>r</sup>.

To  
Mr Wenham

Memo<sup>m</sup> 28<sup>th</sup> August 1845, Left with Bank U. K. to be sent to their Agent in Montreal, Mr Wenham, a Power of Attorney in duplicate, to enable him to acquit the two warrants mentioned in the above letter from Mr Daly. - with a note requesting him to pass the same to the credit of the Council of King's College in the books of the Bank of U. C.

From  
J. M. Higginson Esq<sup>r</sup>

Sir, Private Secretary's Office. Montreal. 17<sup>th</sup> Sept 1845.

I have the honor by command of the Chancellor to state for the information of the College Council that His Excellency has been pleased to appoint Dr. Lucius O'Brien to be Professor of Medical Jurisprudence in the University of King's College.

I have the honor to be,

& &c.

H. Boys Esq<sup>r</sup>,  
Bursar, U. C.

(Signed) J. M. Higginson.

From  
Dr O'Brien

Toronto September 1845.

Sir,

I have the honor to forward herewith the Warrant from His Excellency the Chancellor appointing me to the Professorship of Medical Jurisprudence in the University of King's College, dated Sept<sup>r</sup> 10<sup>th</sup> 1845, also a letter accompanying the same from Capt<sup>r</sup> Higginson, Private Secy<sup>r</sup> to His Excellency. I request you will be good enough to lay them before the Council of King's College.

the first convenient opportunity.

I have the honor to be

de de

Henry Boys, Esq. M.D. Signed, Lucius O'Brien,  
Barrister at Law.

From  
R. S. Jameson, Esq.

You will oblige me by submitting  
to the Council of King's College, together with  
the expression of my profound respect  
the following request.

It has long been my desire to establish  
in the University for annual competition  
one or more medals, for excellence in  
subjects subordinate of Course to such as  
shall be proposed for prizes distinguished  
by emanating from the University itself  
such as proficiency in History and English  
Composition. I feel myself at liberty  
to state that in this design I have been  
encouraged by the approbation and kind  
advice of the learned and accomplished  
Vice President, who has been so obliging as  
to draw up for me a Code of Regulations, by  
which the Competitions may be guided -  
Contingent with the Council honoring my  
proposal with their sanction. A Copy of  
these Regulations I have appended.

I have postponed this application  
until I had become assured that a  
Gold Medal not I trust of inferior execution  
might be securely looked for in time for  
the approaching distribution of University  
Honors - My intention for the present would be  
to leave the Die in the Custody of my agent  
in London and have the Medals struck on  
my own account; until I shall be  
advised by those who best understand the



the interests of King's College in what manner  
it may be expedient to procure a perma-  
nent endowment for this very humble  
offering. I am Sir

Yours faithful & obed<sup>t</sup> Serv<sup>t</sup>  
(signed) Robert S. Jamieson.  
Toronto 28<sup>th</sup> July 1845 -

### Regulations &c

- 1 The subjects for proficiency in which this Medal is proposed as a reward, are Ancient & Modern History (including Chronology and Geography) and Composition in English Prose.
- 2 All Candidates are admissible who are qualified to present themselves as candidates for the degree of B.A. and of no higher standing or who have kept an academical year as matriculated or occasional students in the Faculties of Divinity, Law or Medicine.
- 3 The examination to be annual and the period of the year at which it is to be held to be after the examination for the degree of B.A. but before Commencement.
- 4 The Examiner or Examiners to be selected by the Council annually, during Michaelmas term - and the Professor of History or (if there shall not be such Professor) the Professor of Rhetoric & Belles Lettres always to be one.
- 5 The examination to be conducted either wholly or in part *vis a vis* or on on Paper at the discretion of the Examiner or Examiners -

From  
Henry Layton

The Rev. Dr. McCaul V.P. of Queen's College  
the University of King's College.

Sir. I beg to trouble you with this  
communication in reference to the subject on  
which I had an interview with you yesterday

namely the right of way and passage through and upon the College Avenue on all days and seasons from Queen Street (late lot street) on the South to my premises Caer Howell which I claim for myself and visitors to Caer Howell on horse back or on foot or with Carriages, Carts wagoes Cabs Sleighs &c and which claim I am Compelled to assert from the fact of the Entrance Gate to the Avenue from Queen Street being invariably closed on Sundays and consequently all Access to persons desirous of visiting Caer Howell on horseback or in vehicles through the Avenue barred.

Under date of the 2<sup>nd</sup> of June last I addressed a note to the Purwar Dr Boye requesting to be informed if he could allow a ~~thoroughfare~~ through the Avenue as and for the purposes above on Sundays the same as other days and stating how how advantageous it would be to me & further that I did not desire the Gate to be thrown open at any season when the Avenue would be materially injured by ground. To this I was informed by Dr Boye that he could do nothing and that I had better wait till the meeting of the Council in October. At that time I was not exactly aware that I possessed a clear unquestionable legal title to such right of way on all days as well Sundays as Week days and at all seasons, but subsequently I found such to be the case on reference to the Deed from the C. P & S. of M. to the Hon<sup>ble</sup> William Drummond Powell conveying to him in Fee Simple a right of way through the Avenue ~~for~~ and unrestricted as will be manifest to you on a Perusal of the following extract therefrom to which I would



respectfully request to draw your attention to

"That the C. P. & S. of N.C. aforesaid have granted bargained and sold & by their Parents do grant bargain and sell unto the said W<sup>m</sup> Dummer Powell his heirs and assigns for ever being owners or occupants of the southerly half of lot number 12 aforesaid / part of which (15 acres) comprises the premises now called Carr Howell and of which I am Lessee now remaining and being in the service of the said W<sup>m</sup> Dummer Powell a right of way and passage for himself and themselves his and their families and servants occupants of the same premises for the time being and their tenants workmen and visitors on horse back or on foot or with Carts Carriages wagons & Sleighs or other vehicles in over long by through and upon that part of the said Avenue ordinarily used and appropriated for horses Carts, Carriages, wagons, Sleighs, and other vehicles, & with such foot way or ways on either side thereof as the said C. P. & S. of N.C. shall now or may hereafter lay out and use for that purpose, with full liberty of ingress egress and regress over the same to be used as a road from lot situated in the town of York to the southerly boundary of the College grounds " &c. &c.

The Deed then gives free liberty to the said William Dummer Powell to erect four gates on the West side of the Avenue for himself and others being the owners or occupants for the time being of the said 1/2 of lot No 12 fully to use in the most full and ample

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manner. Lastly the said Wm D. Powell & all  
such persons and persons using the  
said way by virtue of this grant shall  
not leave open any gate or window now  
set up or erected upon or across the said way  
by the said C. P. & S. of K.C. but shall at all  
times shut and fasten the same as they  
shall be directed by the Bursar of the said  
College in the said Bursar providing  
proper locks and keys for that purpose  
while locks and keys the said Bursar  
may from time to time alter and  
change giving to the said William  
Dummer Poole or other owners or  
occupiers of the said land or premises  
for the time being a fresh key or keys  
upon all such changes " Yesterday

I again called on the Bursar, explained to  
him the knowledge I had obtained as  
to my right and requested him to  
furnish me with a key but he again  
said he could do nothing till the meeting  
of the Council in October but the Obstruction  
has now continued for such a length of  
time as to have materially militated  
against my interest and I would not  
feel myself justified in allowing it to  
continue any longer without making  
some attempt to have it removed.

I then took the liberty of writing on you  
in the hope that something satisfactory  
might arise from an interview, and from  
which occurred. I trust you will now so  
far instruct yourself on my behalf as to endeavor  
to bring about a compliance with  
my request for one key to the entrance  
gate to the Quorum on Queen Street, as the  
very last thing I desire would be to find  
myself in collision with the College Authorities



From an observation you made ~~to me~~ it appeared to me as if my request had been misunderstood, and that I had demanded to be supplied with several Keys with respect to which I would beg to state that all I ask for or want is one Key, and from what I have submitted to your Consideration above I have no doubt it will be obvious to you that I am entitled thereto. I am sorry to have troubled you with so long a communication but I trust you will excuse it as the matter it relates to is a very serious one to me, and in the hope you will give this your favorable Consideration, and Attention.

I Remain Sir

Yours very Obedt. Servt.  
Signed, Henry Layton.

Sir,

Toronto. Kings College Office -  
30<sup>th</sup> September 1845.

To  
The Hon.  
R. S. Jameson  
Vice Chancellor,  
&c. &c. &c.

I have the honor to inform you that your letter of the 28<sup>th</sup> July was laid before the Council of Kings College on Wednesday last; when I received directions to communicate to you how highly they appreciated your very liberal intentions of founding a medal in this University - and to transmit to you the following resolutions which they came to upon the occasion.

" Moved by the Dean, seconded by the Proctor - that the Council of Kings College, in accepting the very handsome proposal of the Vice Chancellor of the Court of Chancery, to establish a Gold medal to be given annually for the encouragement of the Studies of History and English composition; desire to return him their warmest thanks, and to express their sense of the benefits which must result from the competition for so valuable a prize. They also request that he will permit them to designate the prize after the

the donor, as the Jameson medal!" -

Moved by the Vice President, seconded by the Dean, that the Regulations proposed by His Honor the Vice Chancellor relative to his medal be adopted."

I have the honor to be

Sir

Your most obedient humble servant

Signed) H. Boys

Registrar. H. C.

To the Honble  
J. B. Robinson,  
Chief Justice  
et. c.

Kings' College Office - Toronto.  
30<sup>th</sup> September 1845.

Sir,

I have the honor, by directions of the Council of Kings' College, to enclose to you a letter (in original) from Mr. Higginson, private Secretary to His Excellency the Chancellor of the University, dated the 19<sup>th</sup> Ultimo; and am directed to request that you will lay the same before the Honble. the Judges of the Court of Queen's Bench, the Visitors of the University, for their opinion thereon.

I have the honor to be

Sir

Your most obedient humble servant

Signed) H. Boys

Registrar. H. C.

To J. M. Higginson, Esq. Memorandum, 11<sup>th</sup> October 1845. Sent Mr. Higginson the Minutes of Council of the 2<sup>nd</sup> Instant.

To J. M. Higginson, Esq. Memorandum, 14<sup>th</sup> October, 1845, sent Mr. Higginson the Minutes of Council of the 14<sup>th</sup> Instant.



To

Toronto 6<sup>th</sup> October 1845.The Rev<sup>d</sup>

Sir,

Mr McCaul

Vice President of  
Kings College.

to to

As it is more than probable that a Midwifery  
Vice President of Claps may be formed this Session in the University  
of the Hospital (for obvious reasons to the house  
formerly the property of Colonel Fitzgibbon and  
now held under The Hospital Trust.

The additional expence to The University  
and The Trustees compared with the advantages  
to be derived by the Public and particularly  
by the poor persons who are intended to be benefitted  
by the charity will I am convinced be a mere trifle  
I therefore feel great confidence in recommending  
the change to the favourable consideration of the  
Council of Kings College.

I have the honor to be

Sir

Your Most Obedient  
humble Servant.  
Signed George Hemicke.

To

James Nation Esq.

Secretary to the Board

of Trustees, of the  
Toronto Hospital.Kings College Office, Toronto  
17<sup>th</sup> October 1845.

I have the honor to transmit a copy  
of a letter from Professor Hemicke, relative to the  
removal of the Midwifery ward from the  
Hospital to a separate building, and request  
that you will bring the subject at an early period  
under the consideration of the Trustees of the  
Hospital.

As the Council are of opinion that the measure  
suggested by the Professor will be most advantageous,  
they will assent to the annulling of the condition  
in the agreement with the Trustees of the Hospital,  
whereby a ward was to be provided within  
the

the Hospital for their Midwifery cases.

I have the honor to be

Sir

Your most obedient servant

Signed) H. Boys.

Bursar, H. C.

To

Memorandum, 3<sup>d</sup>. November, 1845. Sent Mr Higginson the

J. M. Higginson, Esq; Minutes of Council of the 1<sup>st</sup>. Inst<sup>l</sup>

To  
D<sup>r</sup>. Boys  
Bursar,

Toronto 20<sup>th</sup> October 1845

Sir,

I have given the most attentive consideration to the letter of the 27<sup>th</sup> August last from the Trustees of the Hospital reserve to the Revd. D<sup>r</sup>. McCaul Vice President of King's College, soliciting a loan from the Council of King's College of £4,000 or £5000, to enable them to erect a new and more commodious building as a general Hospital transmitted to me on the 30<sup>th</sup> Ult<sup>o</sup> for my opinion as to the safety of the University making such loan, it appears the Trustees do not feel themselves at liberty to offer security on any of the trust property, even could it legally be done, While they ask the College Council to loan trust funds without any security whatever, other than the hypothetical revenue of the General Hospital which it is stated may probably amount exclusive of Bank Dividends to £1,000 per Annum - it is difficult to discover how the Trustees arrive at such a conclusion for taking the interest of the whole account of debt due to them supposing it is regularly paid and the Bank dividend at the highest rate 8 per Cent. will only give £803 from which must be deducted the interest of the debt due by them, and then they have a bal: of £695. to defray the expences of the institution and the interest of the proposed loan. I have not taken into consideration the Government Grant as




there is no certainty of its being continued, independent of the above considerations I cannot perceive how the Trustees, propose to secure the Corporation in the repayment of the proposed loan and interest, as they do not feel at liberty to offer a Mortgage upon the trust property, were they willing to mortgage the revenue, which is as much trust property as the lands, the question would then arise, can they legally do so.

I am of opinion they cannot, unless specially authorised by the Deed of Trust. But if they could and were willing to do so, I feel it my duty to state that I consider it not such security as the Council of King's College would be justified in loaning their trust funds upon, as they cannot be considered available in the market.

If however the Trustees have taken, as I presume they have available securities for the monies due upon lands sold I see no objection to loaning the money required upon such securities being assigned.

The letter of the Trustees is herewith returned.

I have the honor to be

  
Signed Jas. E. Small

H. Boys Esq.  
Bursar. H. C. Sir,

Toronto 20<sup>th</sup> October 1845.

I have the honor to acknowledge the receipt of your letter of the 17<sup>th</sup> Inst. which I this day laid before the Board of Trustees of the Toronto Hospital, and in reply, am directed to acquaint you, that the Trustees desire to carry out the views therein expressed, so far as they have the power under the existing arrangement with the University, with the clear understanding, however, that any additional expense

thereby

incurred, be borne by the University.

I have the honor to be

de de.

Signed James Nation.

To Memorandum, 11<sup>th</sup> November 1845. Sent Mr Higginson the  
J. M. Higginson Esq Minutes of Council of the 8<sup>th</sup> Instant.

Prof<sup>r</sup> Croft.

Report with respect to the duties  
of the Chemical Assistant.

Percy Marling has now been with me since the beginning of 1843, and during that time I have had every reason to be satisfied with him.

His duties are to keep the apparatus, both physical and chemical in order, to prepare them for the lectures, to prepare all kinds of apparatus which may be required in the lectures on Chemistry to assist in the preparation of all gases &c &c - required, to assist during the lecture, and in vacation time or when no lectures are going on, to help the Professor of Chemistry in all operations in which he may be engaged. These with several other minor services are such as are required from the Chemical assistants at home who generally receive from £50 to £60. - Sterling, but in addition to this, Marling performs the duties which are usually allotted to a porter or laboratory man - such as lighting the fires, sweeping and cleaning the rooms, and washing all glasses &c &c. which may have been used, for which and other purposes large quantities of water are required, the procuring which the present inconvenient situation of the laboratory renders extremely laborious.

Signed Henry Croft

October 17<sup>th</sup> 1845

Prof of Chem<sup>y</sup> & Exp<sup>t</sup> Phil<sup>s</sup>



To  
 Dr Boys  
 Bursar. K. C.

Toronto 6<sup>th</sup> November 1845

Dear Sir,

It having been intimated to me that the proposition made by Mr. Radenhurst to increase his debt to the College, upon giving additional lands, had been delayed for further consideration, and also that doubts were entertained, by some of the members of the Council of its being acceded to, on the ground, that the property offered was not considered as a sufficient security. I have therefore taken the liberty, as agent of Mr. Radenhurst, to say that there would not be any objection on his part to assign over as a further security, the following properties in the City and liberties - Viz. The dwelling house and lot occupied by Mr. Radenhurst on the Corner of Duke and Parliament Streets. A House and Lot containing upwards of half an acre, on the Corner of King and Parliament Streets, and two acres on River Street (near the Don) worth together at least £2,000. No part of these properties to be sold, until after it shall have been found, that the other lots to be conveyed to the University, will not realize sufficient to cover Mr. R's liabilities to the institution.

I remain &c &c

Signed A. Grant.

To  
 James C. Small Esq.

King's College Office - Toronto.  
 14<sup>th</sup> November 1845.

Sir,

Mr. Radenhurst has applied to the Council for permission to increase his debt to the College by a further loan of £600, on giving additional security. His present debt with interest amounts to £1,000. I am directed to enclose to you the letter of his agent, Mr. Grant, and to request your opinion whether the property

To  
James E. Small Esq. property now offered is sufficient with that already assigned to us, to cover so large a sum as £1600.0.0.  
I send you also his deed already given to us and have to request that you will see whether the property now offered is distinct from that mentioned in the Deed. Please to return the letter and deed with your answer.

I have the honor to be, &c.

Signed H. Boys.  
Bursar, H. C.

Professor Murray Sir

H. C. O. T. 14 Nov<sup>r</sup> 1865.

The application of your Assistant, James Patterson, for an increase of his salary with your letter recommending the same to the favorable consideration of the Council, being under the consideration of the College Council at their meeting held on the 9<sup>th</sup> instant, I received directions to send you the minute made on that occasion which is as follows;—"The Council having determined to place the Assistants of the Professors of Chemistry & Mathematics on the same footing, could not accede to this application."

I have the honor to be, Sir, &c.

Signed H. Boys, Bursar, H. C.

Letter referred to in the foregoing letter.

To Professor Murray.

Rev. Sir,

Toronto Nov<sup>r</sup> 1, 1865.

I feel myself constrained by my present pecuniary circumstances to ask your interest with the College Council for increase of my present salary, which I find to be inadequate to pay my boarding and to enable me to appear as respectably dressed as I should do before the students and especially before distinguished visitors who may desire to see the museum of instruments in your Department.

I may mention when my salary was appointed, was living with Professor Potter from whom I received my board & lodging for attending to his private business after college hours but since he left the University I have not enjoyed



that privilege as you do not require my private services.

I am partial to my present situation & would be very sorry to leave it provided my salary can be increased by the sum necessary for bed & board, say about a quarter of a dollar a day or twenty three pounds a year. If the College Council decline to grant me this salary I hope you will not consider it unreasonable if I should accept a salary equal to or better than what I now ask, when an opportunity may offer. - I am, Rev Sir, dear  
(signed) James Patterson.

To the Rev<sup>d</sup> J. McCaul, V. P. H. K. C.

My dear Sir,

Kings College, 4<sup>th</sup> Nov<sup>r</sup> 1845.

The enclosed letter from Patterson was handed to me on Saturday last, and not being a member of the College Council, I take the liberty of thus putting it into your hands as the proper channel of bringing it under the favorable consideration of the Council.

I am ignorant of the amount of salary given to the College servants, but it appears to me that, as Patterson holds a situation of trust & responsibility greater than most of them, their salaries are not the proper criterion by which to determine his income. The difficulty also of securing a person so well acquainted with the instruments or so capable of keeping them in proper order, even if a much higher salary were given, should in my opinion have some weight with the Council in coming to a decision on this particular case. I have often felt that Patterson's personal appearance before strangers visiting the University was not so respectable as could be desired & am pleased to find that he wishes to improve in this respect if he had the means, which I sincerely trust the Council will not refuse.

Very respectfully yours, (signed) Rob Murray.

Memorandum 18<sup>th</sup> Nov<sup>r</sup> 1845. Sent Mr

M. Higginson Esq<sup>r</sup>

Higginson the minutes of Council of the 15<sup>th</sup> Inst.

Sir.

N.E.O.V. 18<sup>th</sup> Nov<sup>r</sup> 1845.

The Student Ex.

The Council of King's College after full consideration of your application to the corporation a loan of money find it would not be beneficial to the interests of the Corporation to comply with your request. They adhere to their Minute of the 14<sup>th</sup> M<sup>th</sup> & Jan<sup>y</sup> prepared to carry that minute into execution when convenient to you.

The Council at this time have money to invest and would not object to purchase property of you if you have any to sell, actually yielding income provided the terms are such as they can accept. I am &c.

Signed A. Boys.

The Report  
of the  
Committee on  
William Mathis  
Case.

The Committee to whom the Memorial of William Mathis, was referred, report that they have had the opportunity of hearing Mr. Mathis own statement relative to Lot 39 in 3<sup>rd</sup> Concession York.

It appears that Mr. Mathis gave to Mr. Hawkins an assignment of the W<sup>1</sup>/<sub>2</sub> of the Lot, with a right of way thereto from the Public Road, passing through Mr. Mathis half.

It also appears that the price per acre in the Inspection Book is \$10. at which price Mr. Mathis purchased his half. From the same Inspection it would seem that the W<sup>1</sup>/<sub>2</sub>, was considered less valuable than the other - but in what degree is not clearly stated.

From the pencil entry made in the Book, the Committee learn that the price of \$6. for the W<sup>1</sup>/<sub>2</sub>, was placed on it by the Bursar, who sold it at that price to a Mr. Marshall, who derived his right by transfer from the transference of Mr. Hawkins.



It is out right that the Committee should state that the price for W/2, is, in the estimate of Mr. Mathis not under what he regards as the fair value of the land at present.

The Committee regret that they can discern no reason for recommending to the Council to lower the price of Mr. Mathis' land; although he has distinctly stated that he considers its value as no higher than that of the other half.

Signed) John McCaul  
Chairman.

Toronto 26 November 1845.

To  
Mr. Dr. Boys, Sir,  
Care Bursar: R.  
No. C.

We beg to enclose two copies of Subpoena in a suit instituted by Mr. Priestman against you and the King's College and shall be obliged by your instructing your Solicitor to enter the necessary appearances -

Your Obedt Servt

Signed) Strachan Cameron & Maddock

No. C. Office Toronto  
28 Nov 1845.

To  
James C. Small Esq.  
enclosed  
Subpoena in  
duplicate.

Sir,

I am directed by the Council of King's College to enclose to you a letter with its enclosures from Messrs. Strachan, Cameron & Maddock, dated 26<sup>th</sup> Inst: and to request that you will enter the necessary appearances in behalf of King's College and myself; - and that you will obtain a Copy of the Bill.

I have the honor to be.

Your Obedt Servt

Signed) J. C. Boys  
Bursar R. C.

To  
 Esq. Boys  
 Bursar.

Private Secretary's Office  
 Montreal 17 Nov<sup>r</sup> 1845

Sir,

I am directed to request you to state whether any answer has been received from the Visitors in reply to the reference which the Chancellor recommended to be made to them in my letter to you of the 19<sup>th</sup> of August last.

I have the honor to be  
 Sir

de r  
 Signed) J. M. Higginson

To  
 J. M. Higginson Esq.  
 Private Secretary  
 de r de r

H. C. Office Toronto  
 28<sup>th</sup> November 1845.

Sir,

In reply to your letter of the 17<sup>th</sup> Instant, I have the honor to inform you by direction of the College Council, that the reference which His Excellency the Chancellor recommended to be made to the Visitors of the University was made accordingly on the 30<sup>th</sup> September last; but that no answer from them has yet been received.

I have also to inform you that your said letter of the 17<sup>th</sup> Instant has been this day transmitted to the Visitors. Immediately any reply is received it shall be forwarded to you for His Excellency's information.

I have the honor to be  
 Signed H. Boys  
 Registrar H. C.

The Hon<sup>ble</sup>  
 J. B. Robinson  
 Chief Justice  
 de r

H. C. Office Toronto  
 28<sup>th</sup> Nov<sup>r</sup> 1845

Sir,

I have the honor by directions of the Council of King's College, to enclose to you a



a copy of a letter received from Mr. Secretary Higginson, and am directed to request that you will place the same before the Hon<sup>ble</sup> the Judges of the Court of Queen's Bench, Visitors of this University.

I have the honor to be,  
Signed H. Boys  
Registrar, H. Co.

To  
I Mr. Higginson by Mr. Higginson the Minutes of Council of the  
H. Co. 26<sup>th</sup> Instant.

From  
J. C. Jones — Dear Sir  
New York Nov<sup>r</sup> 22<sup>nd</sup> 1845.  
By request of Richard Gardner Esq<sup>r</sup> we enclose a Ch<sup>t</sup> on the Bank of British North America at Toronto for \$200 (£50) to be applied to the use of the Library of your Institution.  
Signed J. C. Jones.

of  
Richard Gardner Sir  
H. C. O. S. 29<sup>th</sup> Nov<sup>r</sup> 1845.  
I have the honor to Communicate to you that at a meeting of the Council held this day a letter from Messrs Jones & Co of New York was read transmitting a donation of £50 presented by you to the Library of this Institution, and that on the motion of His Lordship, the President seconded by the Vice President, it was resolved.  
"That the thanks of the Council of King's College be given to Richard Gardner Esq<sup>r</sup> D.A. Madras Coll. Oron: for his very acceptable and handsome donation of Fifty Pounds for the benefit of the Library."

I have &c &c  
Signed H. Boys.

ones & Co.  
New York.

Trinity College, Upper Toronto

2<sup>nd</sup> December 1845

Gentlemen,

I have the honor to acknowledge the receipt of your letter of the 22<sup>nd</sup> ult. containing a bill on the Bank of B. & O. America at New York for two hundred dollars (\$200) currency, to be applied to the use of the library of this institution being a donation on the part of Richard Gardner Esq.

Synd. H. Doy.

J. D. Robinson

Sir

Toronto 28<sup>th</sup> Nov. 1845

copy of this letter sent  
to Mr. Higginson 5 Dec. 1845

I beg you will be so good as to inform Mr. Higginson, that when I received your letter enclosing the reference made to the visitors of R.C., two of my brother Judges were absent from Toronto. As before they returned, I had myself to set out upon the Circuit and as the Council occupied some of the Judges until the very day before the term commenced which has just ended, I have not had it in my power to confer with my brother Judges upon the subject of the reference for we have been incessantly occupied with matters arising from the Circuit. I propose tomorrow to bring the subject before them.

Synd. J. D. Robinson

To

Memorandum, 3<sup>rd</sup> December, 1845. sent to Mr. Higginson

J. M. Higginson Esq. the Minutes of Council of 29<sup>th</sup> ult.

To

Memorandum, 5<sup>th</sup> Dec. 1845. sent to Mr. Higginson a copy

J. M. Higginson Esq. of the Chief Justice's letter of the 28<sup>th</sup> ult.

To

Memorandum, 9<sup>th</sup> Dec. 1845 sent to Mr. Higginson the Minutes

J. M. Higginson Esq. of Council of the 6<sup>th</sup> instant.



From  
Richard Gardner Esq. Esr.

W. B. Coffee House Dec 1<sup>st</sup> 1845

I have the honor to acknowledge the receipt of your letter containing the resolution of the Council of Kings College on the subject of my trifling donation to the library and I beg you will assure them that my best hopes and wishes attend their rising institution.

At the same time I take occasion to observe to you for the information of the Council, what I hinted verbally to your Vice President that I wish no books of a purely Theological Character to be purchased with the sum in question and that otherwise I leave the selection entirely in the hands of the Council.

Yours Richard Gardner

To  
J. M. Higginson Esq. Memorandum 15<sup>th</sup> December 1845 - Sent to W. Higginson the Minutes of Council of the 13<sup>th</sup> of December 1845.

To  
J. M. Higginson Esq. Memorandum, 31 Jan<sup>y</sup> 1846 sent to W. Higginson the Minutes of Council of the 28<sup>th</sup> instant pointing out to his special notice that the answers of the Visitors to the questions referred to them in his letter of the 19<sup>th</sup> Aug<sup>r</sup> last forms part of these minutes.

To  
J. M. Higginson Esq. Memorandum, 3<sup>d</sup> Feb<sup>y</sup> 1846. sent to W. Higginson the Minutes of Council of the 31<sup>st</sup> Ult<sup>o</sup>.

To  
Hon<sup>ble</sup> J. B. Robinson  
His Justice &c. &c. &c. Sir H. C. O. T. 6 Feb<sup>y</sup> 1846.  
I have the honor to enclose to you a Minute of the Council of Kings College passed at their meeting held on the 31<sup>st</sup> Ult<sup>o</sup> and am desirous to request that you will lay the same before the Hon<sup>ble</sup> the Judges of the Court of Queen's Bench, the Visitors of this University, for the purpose of obtaining their opinion on the

point to which the Minute refers.

I have the honor, &c.

W. B. Higgins, R. C.

Memorandum 20<sup>th</sup> February, 1846. sent to W. B. Higgins  
J. M. Higgins Esq. the minutes of Council of the 18<sup>th</sup> Instant.

To Memorandum, 23<sup>rd</sup> February, 1846. Sent to W. B. Higgins  
J. M. Higgins Esq. the Minutes of Council of the 21<sup>st</sup> Instant.

To Memorandum 28<sup>th</sup> Feb<sup>r</sup> 1846, sent to W. B. Higgins the Minutes  
J. M. Higgins Esq. of Council of the 26<sup>th</sup> & 27<sup>th</sup> Instant.

To Memorandum, 7<sup>th</sup> March 1846. Sent to W. B. Higgins the  
J. M. Higgins Esq. Minutes of Council of the 4<sup>th</sup> Instant.

To Memorandum 9<sup>th</sup> March 1846. Sent to W. Barron a  
F. W. Barron Esq. copy of the 9<sup>th</sup> Minute of the proceedings of the College  
Principal M. C. C. Council of the 4<sup>th</sup> March 1846.

Report of the Committee on Investments, rendered  
to the College Council on the 4<sup>th</sup> March 1846 -  
see C. M. B. Page 272. Minute N<sup>o</sup> 6.

The Committee, to whom it was referred to  
examine the applications, which have been  
made to the Council for purchase or loan,  
report that they recommend for the present  
consideration of the Council the property offered  
for sale by Mess<sup>rs</sup> Torouley, Small & Rees and  
the proposal of Mr. Sheriff Jarvis to borrow  
£750. In the first of these cases, the Com-  
mittee apprehend that there is a legal dif-  
ficulty, and the information, which they have  
relative to the security, is not sufficient, even if  
this difficulty were removed, to enable them to  
pronounce on the expediency of the purchase.  
Of the three purchases, they consider Dr. Rees  
the most eligible, if it can be effected on



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advantageous terms. It is liable, however, to this objection, that there will be no immediate return, for the sum invested. They consider both Mr. Jarvis and Mr. Brown's proposals to loan worthy the consideration of the Council, but have named the former, as the amount is within the present sum uninvested. Capt<sup>m</sup> Caddy's proposal for sale, they cannot recommend, but his offer for a loan, which has been before the Council for some time, they think might at some future time be accepted on the security of his property.

On the applications of other parties offering property not in Toronto, they recommend that further information should be procured, previous to taking any action.

(Signed) John McCaul.  
Chairman,

To  
Mr. Higginson Esq.  
Private Secretary  
de de de. Sir,

King's College Office. Toronto  
19 March 1846.

I have the honor to enclose to you the Minutes of the proceedings of the Council of King's College at a meeting held on the 16<sup>th</sup> Instant, for the purpose of their being submitted for the information of His Excellency the Administrator of the Government (Chancellor) of this University.

I have the honor to be  
Sir

Yours most obt<sup>l</sup> Humble Servant  
(Signed) H. Bay  
Registrar, &c.

To

H. Boys Esq  
Bursar of  
King's College  
Toronto.

Secretary Office  
Montreal 27 February 1846

Sir,

I have the honor by command of the Administrator of the Government to transmit you a Memorial from the Municipal Council of the Bathurst District praying that a Chair may be assigned to a Professor of Agriculture and Agricultural Chemistry and I am to request you to lay the same before the Council of King's College for their Report, for His Excellency's information.

I have the honor to be  
Sir

Your obt. Servant  
(Sig) D. Daly

Secretary

To His Excellency Lieut. General the  
Right Hon: Charles Murray, Earl  
Cathcart of Cathcart, in the  
County of Renfrew, H. C. B.  
Administrator of the Government  
of Canada & & &  
in Council.

The Memorial of the Municipal Council  
of the Bathurst District, in Council  
assembled.

Respectfully sheweth,

That your  
Memorialist are duly sensible of the  
unspeakable advantages of a good educa-  
tion suited to the circumstances of the rising  
generation in this Province.

Engaged as a very large proportion of  
the Inhabitants of this Province are in  
Agricultural pursuits, Your Memorialists are  
of opinion that the study of Agriculture



and Agricultural Chemistry in addition to the ordinary branches of education would be of paramount importance to a numerous and useful class of the community.

Your Memorialists therefore respectfully pray that Kings College at Toronto may be made a Seminary for the diffusion of knowledge on the most liberal basis, and that a chair therein may be assigned to a person well qualified to give instruction in Agriculture and Agricultural Chemistry and kindred Sciences.

And your Memorialists as in duty bound will ever pray—

Signed Daniel

Warden

Dated in Council  
Perth 11<sup>th</sup> February 1846 }

Bathurst Dist.

Kings College Office Toronto  
19<sup>th</sup> March 1846

The Hon<sup>ble</sup>  
D. Daly  
Provincial Secy.  
&c. &c.  
Montreal.

Sir,

I have the honor to acknowledge the receipt of your letter of the 27<sup>th</sup> Ult. transmitting a copy of a Memorial from the Municipal Council of the Bathurst District praying that a chair may be assigned to a Professor of Agriculture and Agricultural Chemistry; and calling for the report thereon of the Council of Kings College for the information of His Excellency.

Your said letter was read in the College Council on the 18<sup>th</sup> Instant when I received directions to acquaint you for the information of His Excellency Earl Cathcart, that a chair of Agriculture was established in the University in the year 1844, and that the Council do not consider it necessary to found a separate chair for Agricultural Chemistry as it already forms a part of the course of the present Professor of Chemistry; and, if it should be.



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To  
The Hon.  
J. Daly  
Provincial Secy.  
do &  
Montreal.

be desired to have the subject treated specially,  
it appears to them that it ought to be combined  
with agriculture itself.

I have the honor to be  
Sir,

Your most obedient  
humble servant

(Signed) H. Bays

Bensb K. C.

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To  
J. M. Higginson Esq. Mr. Higginson the minutes of Council of 24<sup>th</sup> Inst.

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### New Brunswick

" Message to the House of Assembly, 4<sup>th</sup> Feb: 1846  
" W. M. G. Colebrooke - Lieut: Governor.

" The Lieutenant Governor lays before the  
House the copy of a despatch referred to in  
his opening speech, relative to King's College.  
Signed " W. M. G. C. "

The Document accompanying this  
Message, being read at the Clerk's Table, is  
as follows:

King's College -

(Copy)

N<sup>o</sup> 342 -

Downing Street

12 November 1845.

Sir,

Referring to the correspondence which  
has already taken place between us on the subject  
of the Act of the last session of the Legislature  
of New Brunswick, to amend the Charter of  
King's College, I have now to convey to you the  
necessary instructions for your guidance in  
that



in that case.

On the authority of the Solicitor General of the Province, and of the great American Jurist Mr. Story, you suggest a preliminary doubt, which if well founded, must supersede all further discussion of this Act.

It is the doubt whether the Local Legislature possesses any Constitutional right to alter the Royal Charter, without the express consent of the Corporate Body, and whether such an Act, if passed, would have the authority of Law.

In applying the decision of Mr. Story (whatever that decision may be) to the case of a British Colony there must obviously be great room for error, unless the most exact attention be given to the inherent distinctions between the Constitutions of various States united together in one Federal Government and those of our own Provinces united together, as members of our extended Empire. That Colonial Laws, repugnant to the Law of England, are null and void, has indeed been repeatedly and very recently enacted by Parliament.

But with that exception it has not occurred to me to hear of any cases in which the Courts of any British Colony could lawfully refuse to enforce obedience to the Acts of the Local Legislature.

I do not, however propose to pursue further this abstract enquiry, since the question to which it refers does not really arise in the present case. It is not the fact, that the Charter of King's College is a Royal Charter, in the proper sense of that term.

It was not granted by the Crown in the unaided exercise of the Royal Prerogative, but on the authority of the Provincial Act of 1823, (4 Geo: 4, Cap: 3) which enabled the Trustees of the



257.  
149.  
The Trustees of the College to surrender their Charter to His late Majesty King George the Fourth, on condition that His Majesty would grant another Charter for the re-incorporation of the College, the terms of which new Charter were partly prescribed by the Act of 1823, and were partly left by that Act to the discretion of the Crown. The question in debate is, therefore, not whether the local Legislature have power to alter a Royal Charter proceeding from the Royal grace and favour, but whether they have power to alter a Charter, the promulgation of which was expressly authorised by themselves, and which, without their authority, could not have been so promulgated.

Neither is King's College exclusively a Royal Endowment. For the General Assembly, first in 1823, and again in 1829, granted large sums for the support of it, and for the erection of the Buildings in which the College was held.

After the acceptance of such grants, the Crown cannot claim the same unlimited rights as might perhaps have been asserted if the Royal Bounty had been the only source of the Collegiate property. The Legislature & the Crown are, at least Joint Founders, and as no Legislative Act on this (or indeed on any subject) can be passed without the consent of the Crown, so can no Royal Grant, changing the basis of this Institution, be properly issued without the concurrence of the Legislative Council & Assembly, if not a formal compact, must be held to result from the Acts, which they have thus already done in concert & concurrence with each other. In such a state of things, it would be at once impolitic and unjust to insist on, or even to propose extreme, and at best but questionable rights.

It follows, that if the act transmitted to me for the Queen's assent were otherwise unobjectionable,



unobjectionable, Her Majesty would be advised to assent to it, without raising any objections; but it is certain that the changes introduced by it are highly offensive to one considerable class of Her Majesty's subjects in New Brunswick, and that the class so offended are precisely those for whose more especial advantage the College was originally founded. Even they, however, have most distinctly recorded their opinion, that the Charter requires some great amendments, and that, in its present form, it has failed to produce any advantage commensurate with the expenditure incurred for its support. It has not, indeed, been merely unsuccessful:— It has been productive of much positive evil:— It has formed a monument but too impressive of the futility of a great project which had aimed at the highest public good, a monument dissuading and discouraging similar undertakings. However just may be the objections to the changes actually proposed in the Charter, it is therefore impossible to deny that numerous and great amendments of it are indispensable.

I have no hesitation in acknowledging my own inability to suggest what those amendments should be. Even if the College were to be established in England, for the education of young men, for the highest pursuits of life amongst themselves, I should not scruple to avow the incapacity of Her Majesty's Executive Government to prescribe the right course of academical instruction and discipline to be observed in it. To form a correct estimate of such questions, a far deeper familiarity with them is necessary than is to be acquired during a pupilage in early life at one of our Universities. The science of Education, especially in its higher walks, must be learnt



learnt like other sciences by patient study and long experience. All our Collegiate Institutions in England have been originally founded or progressively moulded by learned and scholastic men. We have no such Institution deriving its internal economy from an Act of Parliament.

The failure of a College regulated by an Act of the Provincial Legislature is no just subject of surprise.

The great requisite in the present case, appears to be, that the alterations to be made should be maturely weighed and recommended by men possessing an intimate acquaintance both with the theory and the practice of educating in Religion, in Literature and in Science, those youths who from their birth, their fortune, or their natural talents, are destined for the public service as Legislators, Divines, Jurists, or Physicians, or Magistrates, or as Merchants on an extensive scale.

To obtain such advice it would be necessary that a Commission should be constituted, and that it should be armed with all powers requisite for conducting and defraying the expence of the necessary inquiries. It should be composed of men unanimous in the desire to promote public education among the poorer classes of society on Christian principles. Their range of inquiry should be as unlimited as is the object itself. Yet there is happily one principle on which amidst all the discussions before me, a general agreement prevails, and by that principle therefore the Commissioners ought to be bound. It is that King's College should be open so far as its advantages, emoluments, and honors are concerned, to every denomination of Christians, but that according to the original design the public worship performed within its walls should be



should be that of the Church of England, and that the Chair of Theology should be occupied by a Clerk in Holy orders of that Church, of which of course therefore all Graduates in Divinity must be members. These reservations in favour of the Church of England are made in no spirit to which the members of any other Church could even plausibly object. They proceed on no claim of ascendancy or superiority. Their object is simply to retain for the Anglican Church the advantage actually enjoyed by every other body of Christians in New Brunswick, of having one place of public education in which young men may be trained up as Ministers of the Gospel.

On this head I perceive indeed but one question on which any doubt has been shown. It relates to the Religious test to be taken by Graduates in Divinity. The Act before me proposes to substitute for the test taken at Oxford, a declaration of belief in the Holy Scriptures, and in the Doctrine of the Trinity. Now, if it were proposed that Theological Degrees should be granted to Christians of every denomination, I could understand the motive which might suggest such an innovation. But when it is agreed that the graduates are to be Members of the Church of England, the imposition on them of a test at once so new and so indefinite, is recommended by no reason which I can either discover or conjecture. Whatever opinions may be entertained regarding the Oxford tests by those who dissent from the Church of England, it would seem entirely at variance with the spirit of Religious liberty to forbid the imposition of <sup>tests by those</sup> those, and <sup>on those</sup> on those who concur in holding them sacred.

If the Council and Assembly will concur in providing



in providing for the appointment of such a Commission as I have suggested, and for defraying the necessary expenses of it, I trust that no insuperable difficulty would arise in the choice of competent Commissioners.

Aided by their report, a Law might be framed either for altering the Constitution of the College in accordance with it, or for enabling the Crown to issue a Charter for that purpose. The whole of this question might thus be withdrawn from debate in a popular Assembly, to a more tranquil and for this purpose, a more competent tribunal. Without the excitement of those feelings which must animate and occasionally discompose the deliberations of the Representative Branch of the Legislature, it would I trust be settled on such a basis as to conciliate the feelings, satisfy the judgment, and promote the interests of all classes, as far as results are attainable in affairs of this nature.

In that hope Her Majesty's decision on the act under consideration will be postponed until you shall have ascertained and reported how far the Legislative Council and Assembly are willing to concur in the course of proceeding which I have thus pointed out.

I have the honor, &c.  
(Signed) Stanley

From Sir,  
J. M. Higginson Esq. Government House, Montreal, 5<sup>th</sup> Oct. 1846

In the Minutes of the proceedings of the Council of King's College at a meeting held on the 24<sup>th</sup> Ult<sup>o</sup>, and received with your letter of the 28<sup>th</sup>, His Excellency the Chancellor observes a Resolution granting a salary of £100 per annum to the Professor of Divinity for discharging the duties of Chaplain.

Referring to the Minutes of proceedings under date the 30<sup>th</sup> Oct. 1846, relating this subject, and to my letter to you



of the 8<sup>th</sup> December following; to which you are requested to draw the attention of the President & Council; and taking into consideration the opinion of the Visitors communicated on the 17<sup>th</sup> December last in regard to the appropriation of money in the shape of salaries to Professors or others, the Chancellor finds himself unable to approve of the Resolution; as he conceives that no salary or increase thereof can be properly granted by mere vote of Council, but that a Statute is required to authorize an appropriation for such purpose.

With respect to the expediency of at present increasing the salary assigned to the Professor of Divinity, His Excellency is disposed to concur in the opinion expressed by the late Chancellor Lord Metcalfe.

W. Boag, Esq. I have the honor to be  
Bursar &c. (signed) S. M. Higginson

From Sir, Private Secretary's Office, Montreal 11<sup>th</sup> Apr. 1845.  
S. M. Higginson, Esq. I have the honor by command of the Chancellor to request you to intimate to the President & Council of the University, that His Excellency is desirous of being furnished with the Reports and Statements enumerated in the annexed memorandum in order to complete the information required by a notice by a Member of the House of Assembly for an address to the Administration of the Government.

The address was opposed by the Government, but it was signified to the House that His Excellency as Chancellor would give the information asked for to be supplied, to which His Excellency presumes no objection can be entertained.

W. Boag, Esq. I have the honor to be  
Bursar, Le x. x. x.  
King's College. (signed) S. M. Higginson.

Memorandum of Reports & Statements required for the House of Assembly.

Here Returns sent to Any reply that may have been made to the Report  
Higginson 10<sup>th</sup> May 1846 to the College Council on D'Gwynne's Memorial relative to the finances of King's College. — Report of the College Council

Council on irregularities in the Bursar's Office. — Statement of the affairs of the University for the year 1843, in the same form as those laid before the House in March 1845 — Also all Reports of said Council on the State of the Endowment made since 1840, and particularly that of the finances for the year 1842 — Also the annual tabular statement of Receipts & Disbursements as laid before the College Council for the years 1841, 1842, 1843, 1844.

From Sir  
J. M. Higginson, Esq. Private Secretary's Office Montreal  
6<sup>th</sup> May, 1846.  
I am commanded by the Chancellor to request that you will bring under the notice of the President & Council of King's College the enclosed copy of a Resolution passed by the Legislative Council, in order that the Action required therein may be furnished for the information of that House, to which His Excellency presumes that there can be no objection on the part of the University.  
W. Boys, Esq. I have &c -  
Bursar, K.C. (signed) J. M. Higginson.

Enclosure

Copy. Legislative Council, Monday 4<sup>th</sup> May, 1846.  
Resolved. That an humble address be presented to His Excellency the Governor General praying that His Excellency will be pleased to direct that there be laid before this House copies of all papers & correspondence which may have passed between the Governor General as Chancellor of the University of King's College and the Council of the said University since the Union of the Provinces relative to the creation or regulation of offices or appointments in the University or Council with any Schedule of salaries or allowances connected therewith and of the names of individuals proposed to fill the same, and also of any correspondence which may have taken place between the Governor General as Chancellor of the University aforesaid, and any individual members of King's College Council.

Ordered. that such members of the Executive Council who are members of this House do wait on His Excellency the Governor General with the said address.

Attest. (signed) Charles de L'Esperance  
4<sup>th</sup> Clerk Leg. Council.



To  
M. Higginson Esq.  
Memorandum 14<sup>th</sup> May 1846. Sent to M. Higginson. The  
Minutes of the proceedings of the Council held on the 9<sup>th</sup> Inst.

To  
M. Higginson Esq.  
Sir,  
H. C. O. Toronto, 18<sup>th</sup> May, 1846  
I have the honor to transmit the accompanying  
Returns, prepared conformably to the request of His Excellency  
the Chancellor, as communicated in your letter of April 11.  
A copy of the Report of the College Council on irregularities  
in the Bursar's office has not been sent, as it was deemed  
prudent to withhold the publication of it, whilst the  
chancery suit arising out of the circumstances from  
which that report originated, remains undecided.  
I have the honor, Sir,  
(signed) W. Boz, Esq. H. C. O.

List of Documents required in M. Higginson's letter of 11 Ap<sup>l</sup> 1846.

1. Any Reply on D. Gwynne's Memorial. sent.
2. Report on irregularities in Bursar's Off. This not sent for reasons  
assigned in the letter.
3. Statement of the affairs of the  
University for the year 1843. sent 12 Returns
4. Financial reports made since 1842.
  1. Capt. Macaulay's Report sent
  2. Bursar's Report on Rents & Interest sent
  3. Bursar's letter, 1843. sent.
5. Annual tabular statements for the  
years 1841, 1842, 1843, 1844.
  1. For Kings College sent 4 Ret<sup>s</sup>
  2. For Upper Canada College sent 4 Ret<sup>s</sup>

To  
M. Higginson Esq.  
Memorandum, 22<sup>nd</sup> May, 1846. Sent to M. Higginson  
the Minutes of the proceedings of the Council held on  
the 20<sup>th</sup> Instant.

To  
M. Higginson Esq.  
Memorandum. 29<sup>th</sup> May, 1846. Sent to M. Higginson  
the Minutes of the proceedings of the Council held on the  
27<sup>th</sup> Instant.

To  
J. C. Small Esq.  
Solicitor to the  
University  
&c. &c.

Kings College Office Toronto  
1<sup>st</sup> June 1846

Sir,

I beg to communicate to you for your guidance the following minute of the Council of Kings College, made at their meeting held on the 4<sup>th</sup> March last.

"That the Bursar be directed to return to the Solicitor the names of such persons as may be indebted to the University for the Dues in arrears to Upper Canada College for any period exceeding twelve months, with instructions to him to take such legal steps as he may deem advisable to secure the University against loss. - and that the Principal of Upper Canada College be requested at his earliest convenience to furnish a list of the same to the Bursar in order to enable him to comply with the resolution."

I have also to inform you that the Principal of Upper Canada College has supplied the required list containing 31 names and accompanied with the account of each person, which documents I herewith transmit to you; and beg to say it is the wish of the Council that you should proceed against the parties and bring them to a settlement with as little delay as possible.

I have the honor to be  
Sir

Your most obt. humble Servt.  
(Signed) H. Bays,  
Bursar, K.C.

List referred to, in the above letter.

Accounts of Outstanding debts due to Upper Canada College & made out in April 1846.





247  
159.  
Copy of the Petition of King's College  
Council to the Legislative Assembly, also to  
the Legislative Council.

To the Honorable

The Legislative  
Assembly of Canada in Provincial  
Parliament, Assembled. —

The Petition of King's College  
These Petitioners directed by Council at York, now Toronto, in that part  
Council on 9<sup>th</sup> May 1846 of the Province formerly called Upper Canada  
See C. M. B. Vol III. p. 310. Most respectfully sheweth,

That your Petitioners have casually  
learned that a bill is now before your Honour-  
able House (~~intituled "an act to"~~) in which  
enactments are proposed, which contemplate the  
transfer to a new University of the privileges con-  
ferred on this College by Royal Charter, and  
of the property wherewith it has been endowed,  
and to provide for certain changes whereby  
the just rights of the University of King's College  
would be grievously infringed.

Wherefore your Petitioners  
humbly pray to be heard by Council at the  
Bar of Your Honourable House in defence  
of the privileges, property and rights committed  
to their charge, and that your Honourable  
House will be pleased to grant to your  
Petitioners sufficient time, (as on a former  
similar occasion) to prepare their case for  
the hearing of Your Honourable House —

And Your Petitioners as in  
duty bound will ever pray

This Petition was forwarded to W. W. Boulton, Esq<sup>r</sup>, M. P. P. on 12<sup>th</sup> May 1846.  
a similar Petition to the Legislative Council, leaving out the expression  
"as a former similar occasion" was forwarded to that gentleman on the  
22<sup>nd</sup> May 1846

Left out in petition  
to the Leg. Assembly



From Sir, Private Secretary's Office, Montreal, 2 June 1846.

J. M. Higginson, Esq.; In the Minutes of proceedings of the College Council of  
Private Secretary, on the 20<sup>th</sup> Ult<sup>o</sup>, in N<sup>o</sup> 9 & 10, an expression occurs which  
appears to the Chancellor to be erroneous, His Excellency being  
of opinion that in both, "Chancellor" ought to be substituted  
read in Council 24 June of opinion that in both, "Chancellor" ought to be substituted  
C. M. B. V. III. p. 325. for "Principal", as the enactment establishing Upper Canada  
College provides that the masters thereof shall be nominated  
by the Chancellor and such it is understood has heretofore  
been the practice.

You are requested to bring the subject under the  
notice of the President & Council.

W. Boyd, Esq.

I have &c.

Bursar, &c. &c. &c.

(signed) J. M. Higginson

To Sir, H. C. O. T. 16<sup>th</sup> June, 1846.

Hon<sup>ble</sup> D. Daly, Permit me to request you will inform me  
Provincial Secretary, whether the Legislature, before their separation, voted the  
usual donation to Upper Canada College of £1000 Sterling  
for the current year;— and, if they did so, that you will  
move His Excellency the Governor General to direct a  
warrant for its issue.

I have &c. W. B. B. K. C.

From Sir, Secretary's Office, Montreal, 19 June, 1846.

James Hopkirk Esq. I have the honor by command of the Governor  
General to acknowledge the receipt of your letter of the  
read in Council 24 June 16<sup>th</sup> instant requesting the issue of a warrant for £1000  
C. M. B. V. III. p. 328. Sterling for Kings College for the current year, and to  
inform you in reply that a warrant has accordingly been  
ordered to issue for £1111. 2. 2 C<sup>ts</sup> which will be delivered  
to you, or to any one authorized by you to receive it, at  
the office of the Hon<sup>ble</sup> the Receiver General.

I have, &c. (signed) James Hopkirk.

To Memorandum, 29 June, 1846. Sent to Mr Higginson the

J. M. Higginson Esq. Minutes of Council of the 24<sup>th</sup> instant.



To

Memorandum, 2<sup>nd</sup> July, 1846. Sent to Mr. Higginson. the

J. M. Higginson Esq.

Minutes of Council of the 30 June, 1846.

To

J. M. Higginson, Esq. Memorandum, 8<sup>th</sup> July, 1846. Sent to Mr. Higginson the  
Priv. Secy. &c. &c. Minutes of Council of the 7<sup>th</sup> Instant.Prof. Croft's Report  
read in Council  
7<sup>th</sup> July 1846.

p. 333, C. M. B. N. III.

Professor Croft reports that he has examined the collection offered for sale to the Council of King's College. He examined almost every individual specimen and found them for the most part in a good state of preservation, many of them very well stuffed and others so indifferently that they would be likely to be considerably injured by removal, although they look well enough at present.

The total number of specimens is 318, but of these a great number are duplicates. On making a rough estimate of the value of those which it would be advisable to keep for the Museum the total amount came to 240 dollars which Mr. C. does not consider more than they are worth as they stand.

Mr. Barnard offers the whole for 200 dollars and promises to add to the collection a variety of insects selected from his own cabinets.

If the duplicates were sold by Auction or otherwise the sum paid would be considerably reduced, but the expenses of cases &c. required for fitting up the specimens could not amount to less than £50- or 60-

Were the collection a perfect one, containing all or nearly all the birds and animals of this Continent, Mr. Croft would at once recommend the purchase, but as many



many of the native birds and animals are wanting, and a number of the specimens would be materially injured by the transport, and further considering that there is no immediate necessity for a complete museum, he would recommend that the collection be formed gradually, of specimens freshly prepared and well preserved, which as far as regards birds and smaller animals can be obtained at the rate of half a dollar the specimen by making an arrangement to that effect. This arrangement Mr. C. considers the best, and feels convinced that the Museum at the end of four or five years would be a much better and more instructive one, than it would be made by the purchase of any incomplete collection.

From  
Mr. E. Small.

Sir

London 2<sup>nd</sup> Jan<sup>y</sup>. 1846

Read in Council 28 Jan<sup>y</sup> 1846  
C. M. B. N. III. p. 256.

I have the honor to acknowledge the receipt of your letter of the 30<sup>th</sup> ult<sup>o</sup>. requesting my opinion as to the period to which Mr. Hawkins late Senior Clerk in the office of Bursar of King's College is legally entitled to claim his salary. The circumstances as gathered from your letter and the documents accompanying it are as follows. On the 18<sup>th</sup> March last the Council of King's College for some alleged irregularity of conduct suspended Mr. Hawkins suspending an investigation which was to take place.

On the 26<sup>th</sup> of the same month the tender of that Gentleman's resignation of his office was received dated the 19<sup>th</sup>.

On the 28<sup>th</sup> Jan<sup>y</sup> the Council accepted his resignation without having received any report for all that appears from the



Committee of Council appointed to conduct a general enquiry into all the affairs of the Barristers Office & to which the tender of Mr. Hawkins was referred.

I am not informed of the nature of the Contract between the College Council and Mr. Hawkins and must therefore assume that he was employed in the usual way as a Clerk at so much per annum & for so long and he had been dismissed otherwise than for gross misconduct the Corporation would have been obliged to pay him his years salary. Had the Committee upon investigation reported such acts of Misconduct on the part of Mr. Hawkins as clearly justified the suspension, and would have warranted the dismission I am of opinion Mr. Hawkins could only claim to be paid up to the time of his suspension.

On the 19<sup>th</sup> March Mr. Hawkins resolves to resign, on the 26<sup>th</sup> his tender of Resignation is received, and the Council return his letter to him and subsequently on the 28<sup>th</sup> June before any report from the Committee is received act upon it themselves by accepting his Resignation. If he was in a posture to resign on the 19<sup>th</sup> March (and the Council I think have in effect admitted that he was) and they did not accept his Resignation till the 28<sup>th</sup> June, I am of opinion they are bound to pay him up to that day.

I would further state however that should the Council be able to show in a Court of Justice, provided an action were brought by Mr. Hawkins that he was suspended for such a disobedience of orders as would have



Justified in subsequent dismissal, I am  
of opinion Mr. Hawkins could only answer  
up to the time of his suspension.

The Council having agreed to  
pay Mr. Cochran from the time of Mr.  
Hawkins suspension cannot affect the  
question. I have the honor to be

Sir  
Yours obedt Servt.  
(Signed) H. W. P.

To  
M. Higgins Esq.  
at Sec? x. Sec? x.  
Memorandum 20 July 1846. Sent Mr. Higgins the  
Minutes of the proceedings of the Council on the  
17<sup>th</sup> instant.

From  
John Cochran  
Read in Council 17 July  
C. M. B. V. III. p. 235

Sir /  
H. P. Toronto.  
16<sup>th</sup> July 1846  
Being exceedingly anxious to  
make certain money arrange-  
ments, which I am bound to, partly  
on account of the family of the late  
Capt. Bray I have to request you  
will have the goodness to inform me  
if the Council of Kings College will  
authorize you to give me an assurance  
that they will purchase the property I  
have offered to them for sale when there  
are surplus funds disposable for such  
purposes as I could then make such  
arrangements with the Bank as would  
relieve me from my present difficulties  
I hope the Council will have  
the goodness to do this as I have for  
a long time been depending on the property  
being purchased, to meet payments which  
are now past due ~  
Signed John Cochran.



267.

John Coleman Esq.

H. C. C. Toronto

21<sup>st</sup> July 1846

Your letter of the 16<sup>th</sup> instant requesting of the College Council an early decision on your offer to them of property for sale was taken into consideration at a meeting held on the 17<sup>th</sup> inst. when they resolved "that the offer of "Mr. Coleman, to sell the property in Peterborough and Port Albert be accepted and carried into effect as soon as there are funds available for the purpose in the Council's opinion."

The property in question, the value of which they propose to take will be £270 ---

I remain &  
(Signed) A. D. B. S.

From  
The Revd John McCaul  
Chairman of Land  
Committee ---

21<sup>st</sup> July 1846.

submitted to Council  
17 July 1846.  
see C. M. B. V. III p. 336.

The Land Committee report that they have minutely examined the documents relative to Mr. Abraham Shaver's Application. They are of opinion that the previous decision of the Council should be adhered to, <sup>nor can they discover</sup> in the additional papers recently submitted any sufficient reason for again opening a question which has already occupied on several occasions the attention of the Council, and on which a decision has been arrived at, which in the opinion of the Committee was based on proper regard to the interests of both the Corporation and the Memorialist. The Committee have also examined into the particulars of Mr. Menov's case, it appears to them that the price placed upon the 1/2 lot which he is desirous of purchasing should not be altered; they consider the price 40/- as not above the value and find that even by the Inspector a difference of value was made between his 1/2 and that which part had been previously sold. Even if this



did not appear in the Inspector's book, the Committee are of opinion that the length of time which has elapsed warrants the addition to the price previously fixed on the other portion of the land.

The Committee have had before them a report of the Surveyor employed by the Corporation to measure Mr. Vanille's land. They are of opinion, that his request should be assented to as that Report agrees almost exactly with that furnished by the Surveyor employed by him.

Mr. Week's application they beg to refer back to the Council as it relates entirely to the payment of money.

Signed / John McLeod  
Chairman

Read in Council 17 July 1846

C. M. B. V. III. p. 337

The Committee to whom it was referred to obtain further information upon Mr. Gwynne's Memorial and report thereon to the Council report that they have ascertained that at the close of the Summer Vacation 1834 Mr. Harris at that time Principal of U.C. College reported and sent to Enquire regarding the return of Mr. Gwynne to discharge the duties in which he had been engaged during the four months previous to the Commencement of that vacation. From this the Committee infer that Mr. Gwynne's responsibility did not terminate until the close of the third Quarter of the year 1834. And therefore recommended that his services should be remunerated as those of any other Master or Deputy Master of U.C. College. Nor do they believe that they thus reverse any former decision of the Council as they have reason to



24.

think, that when the Council formerly pronounced on this matter, they were in some degree influenced by the consideration of the probable employment of Mr. Gwynne personally in the Establishment compensating for this Deduction, particularly as it was in favor of the Widow & family, of the Master whose duties Mr. Gwynne had been discharging.

Agreed / John M. Neal  
Chairman.

House

Mr. May Casons. My Lord & Gentlemen,

Read in Council 17 July 1866

see C. M. B. V. III. p. 336.

The Resolution passed some time since in Council respecting the furniture for the use of the Boys in U.C.C. Boarding House having been so far carried out, that the said furniture has been valued at £120-15-9. The Resident Matron respectfully petitions that the Council will be pleased to reconsider the subject of that Resolution.

She begs to represent that as the Resolution was not carried out at the time at which it was made, the whole subject has been brought upon her mind at a time when she is scarcely able to see in what manner she ought to meet it and when in addition to the loss of her late husband's Council and support she has by her bereavement she has sustained a serious diminution of the income by which her family had to be supported, she therefore feels that she is quite unable to pay for the furniture in the Boarding House at present and cannot see how she shall be able to do so at all, whilst, at the same time, it seems that retaining the Boarding House is the only means she possesses of providing for her family and she is compelled to cast



27th.

herself upon the kind feelings of the Council  
 and to press them to reconsider the  
 subject. The Matron takes this oppor-  
 tunity of respectfully observing to the Council  
 that her late husband was at a considerable  
 expence to make many improvements  
 which were really necessary for the comfort  
 of the inmates such as plank-  
 ing parts of the yard which in the winter was at times almost  
 impassable, and also to provide a supply  
 of Rain water by the means of a large tank  
 under ground the cost of which alone  
 was £50-0-0; she was also at the expence  
 of building an Ash house, and a stable.

The expences were not brought under the  
 notice of the Council by her late husband  
 because with his income, in addition to the  
 profit to be derived from the Boarding  
 House he trusted that in time he would be  
 in such circumstances of comfort as not  
 to feel he had incurred them, but under  
 the circumstances of privation into  
 which she has been so suddenly cast  
 the Matron indulges a hope that on a  
 statement of the amount of these expences  
 being laid before the Council as they are  
 connected with the Public establishment  
 of which she has the charge, they will  
 on a consideration of the circumstances  
 of the case see it proper to reimburse her.

Respectfully hoping that the  
 liberality she has in many cases received  
 from the Council will be extended on  
 the present occasion; The Matron respectfully  
 leaves her claim in their hands.

And their Petitioner,

W. Boarding house

July 18th 1846.

To the President & Council  
 of Trinity College -

As in duty bound will ever pray

(Signed) Mary Casens



## Vice President's

## General report

submitted to Council

29 July 1884

see C. M. B. VIII. p. 340.

The Vice President reports that he has recently made his general inspection. The property in the Chapel and Hall is in good order. There does not appear to be any thing wanting in the latter, in the former the accommodation will be insufficient for those entitled to seats unless new pews are added during the vacation. The Lecture Rooms in the Central Building and the property in them are in good order. A large and valuable addition of books has been made to the Library, and a considerable number of volumes are yet to arrive to complete this year's order. The principal deficiency here is as to binding. The Vice President thinks an appropriation should be made for this purpose. It is also probable that the present shelves will be inadequate and that consequently there will be the necessity of making some temporary addition for the preservation of the books and the convenience of the readers. The Vice President as Librarian has directed the preparation of a full Catalogue, both alphabetical and raisonnée.

In the West wing of the Parliament buildings the property in the Lecture rooms is in good order but both painting and colouring are required in that used by Professor Croft. It would also be advantageous to have doors put to the shelves in the same room. The Laboratory both painting and colouring, neither it nor the lecture room have been painted or coloured, since the University obtained possession of the Buildings. The Apparatus belonging to the department <sup>to which considerable additions have been lately made from the funds appropriated for the purpose</sup> of Professor Croft is in good order, and the Professor is engaged in making a very complete catalogue of both it and his preparations. The apparatus belonging to the Professor of Natural Philosophy is in good order, an improvement has been made in the appearance of the cases by painting their interior. The property in the Anatomical and Pathological Museum is in good order. The number of specimens and preparations is now 100. The Curator has not been able to make the progress which he desires, in the descriptive catalogue, as he seldom enters the particulars relative to the specimens from those



who present them. The walls of the vestibule, Theatres and directing rooms, of the new building attached to the West Wing are not in good order. They require whitewashing and in some places plastering, the room appropriated for the Professor of Materia Medica and Medical Jurisprudence is very inconvenient. It would be most desirable to procure better accommodations. Professor O'Brien has obtained from Professor Croft a good supply of the requisite glass ware, but requires a considerable quantity of different articles of which he has furnished a list. The whole of the South East Wing and the University grounds is in good order, but in some places the roof leaks, and much damage is thereby done, the drainage also appears to be defective. The only improvements which the Vice President would suggest are additional planting on the East side of the building, and levelling of the ground so as to make a carriage way on the left. It might also be desirable to build lodges at the head of the main avenue, and at the entrance of that from Yonge Street or at least and one or other of these places. The Vice President would invite the attention of the Council to the injury, which is being daily sustained by the materials for the South West Wing, for which there appears to be no other remedy than to employ them with as little delay as possible for the object for which they are intended.

Since the last formal report of inspection has been presented to the Council. The Vice President has occasionally visited each department but as there did not appear to be any thing worthy of being brought under their notice, he has preferred condensing in this one statement relative to his general inspection.

Kings College,  
July 19<sup>th</sup> 1846

From Professor Croft

Submitted to Council Professor Croft begs to report that during the past month he has purchased from Mr Phillips a number of specimens of natural history for the museum, at the rate of half a dollar per specimen with the exception of a very large porcupine of which the price was one dollar. The birds (for names of species, see "Catalogue") amount in number to 61. Sum expended £7. 17. 6. It is probable that no more specimens of native birds will be procured before winter.

Signed, J. Henry Croft



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Memorandum, 6<sup>th</sup> August, 1846. Sent to Mr. Higginson.

J. M. Higginson, Esq., the Minutes of Council of the 29<sup>th</sup> M<sup>o</sup>.  
Private, Sec<sup>y</sup>.

The Hon<sup>ble</sup> J. B. Robinson,  
Chief Justice,  
&c &c

King's College Office Toronto  
26<sup>th</sup> August 1846.

Sir,

I have the honor to enclose to you  
a minute (No 6) made at a meeting of  
the Council of King's College held on the 30<sup>th</sup>  
of June last, and am desired to request  
that you will bring the same under the  
consideration of the Hon<sup>ble</sup> the Judges of the  
Court of Queen's Bench Visitors of the University  
Signed A. B. B.

Extract from the minutes of the  
Council of King's College at their meeting  
held on the 30<sup>th</sup> of June 1846.

Present

The Hon<sup>ble</sup> & Right Rev<sup>d</sup> the Lord Bishop of Toronto  
President of the University.

The Rev<sup>d</sup> John McPaul, D.D., Vice President &c &c

" " James Beaven D.D., Professor of Divinity &c

A. A. Croft Esq., Proctor, Professor of Chemistry &c

W. C. Guyman Esq. M.D. Professor of Anatomy &c

J. M. Barron Esq. M.A. Principal of U.C. College

Minute No 6. Moved by the Principal of Upper Canada  
College that the opinion of the Visitors  
be requested on the following points:-  
" 1<sup>st</sup> Was it in the opinion of the Visitors  
" intended by the amended Charter which  
" incorporated Upper Canada College with  
" the University that the Principal should  
" Ex officio have a seat in Convocation;  
" and if so, was it intended that he should  
" rank above professors not members



172.  
"of Council, or was it contemplated that  
"he should take his seat in Convocation  
"only in virtue of his degree?"

"2 Was it intended by the amended  
"Charter incorporating Upper Canada  
"College with the University that the Principal  
"should "ex officio" have a seat in Chapel  
"and if so was it contemplated that he should  
"rank as a Member of Council above those  
"Professors not Members of that body?"

Which motion being seconded by the  
Vice President was put and carried

A true extract

(Signed) A. Boys.

Registrar R.C.

From  
A. Boys Esq.  
Bursar.

The Bursar's report on the ways and  
means for building the South West  
Wing of the University ~

I beg to submit to the Council the  
following report which I make in Com:  
pliance with the fourth minute of the  
Proceedings of the 4<sup>th</sup> Instant ~

That minute requires that the Bursar  
shall report what sum remains unexpended  
of the £10000 appropriated for building the  
University by the Statute Chap. 6. Sec. 2  
and that he should report the ways and  
means for proceeding with the building of the  
South West Wing of the University ~

By the accompanying statement  
marked A the Council will see that  
the sum of £5186-12-4 remains unex-  
pended of the £10000 ~

In regard to the ways and means for  
building the S.W. Wing, on reference to the  
Architect I find he has estimated the  
expenses



173  
270  
expense and finds that it will not exceed  
£8000 of this the sum of £2576-13-3  
has been already paid for Stone Brick  
and other materials now on the ground ready  
to be used and already charged in the state-  
ment just referred to marked A leaving about  
about £5300 to be provided for which being  
so near the sum remaining unexpended of the  
£8000 may render it unnecessary to obtain  
a further Statute -

The money cannot be supplied  
from the present funds of the Corporation  
they being scarcely sufficient to cover our  
annual expenditure, indeed, by the latest  
estimate I have made they are deficient a few hundred  
Pounds. It will therefore be necessary to raise the supply by the  
Sale of our waste lands & leased lands. That this source is quite  
adequate to the object may be seen by reference to the 1<sup>st</sup> & 5<sup>th</sup> Returns  
of the <sup>12</sup> annual Returns now before the Council wherein it is  
shown that the Sales of the College lands gradually increased  
from the commencement to the year 1843 at which period the  
Council restricted the Sales and finally suspended them.  
There can be no doubt but that the Sales would have continued  
increasing to the present time and would have supplied  
ample means for completing the University as originally  
contemplated. And as a proof that they will still afford  
the means required, we have now applications before us for  
the Sale of more than 20,000 Acres. These will fetch at least  
Six dollars an acre on the average, equal to £30,000. On the  
supposition that we sell only to the amount of £20,000 within the  
twelve months it will be more than sufficient for the present object,  
and besides to make up for the small deficiency just now  
alluded to, between the annual Income and expenditure.

This therefore I submit constitutes sufficient ways and means  
for building the L. W. Wing of the University (and would immediately  
replace any part of the expenditure which might be required  
to be made in the first instance from our present funds -)

But there is another source to which on this occasion it seems  
to be my duty to request the attention of the Council, namely, to the  
Condition



condition of the fund established by the Crown expressly for the purpose of building this University: This fund. was created by His late Majesty George Fourth, as signified to Sir. Peregrine Maitland in Earl Bathurst's despatch of 31<sup>st</sup> March 1827 It was to consist of an annual donation of £1000 Sterling to be paid out of the monies furnished by the Canada Company and to continue during the term of that company's agreement, which would terminate on the 1<sup>st</sup> July 1842. The donation was continued 4<sup>th</sup> Years till the first of July 1832, at which time some difficulties having arisen about the Charter of the University, The Donation, Was suspended by a Government Despatch to Sir John Colborne "Until the Legislature should pass an act for amending the Charter" Such an Act was passed in the first Session of the 13<sup>th</sup> Provincial Parliament and received the Royal Assent on the 4<sup>th</sup> March 1837 But although the condition was fulfilled, His Majesty's bounty has ever since been withheld. Our Claim extends from July 1832 to July 1842 when the Canada Company's agreement expired, being ten years equal to £10,000 Sterling: with interest from the several periods at which it became due up to the present time.

As this money was not paid to us, it necessarily went to increase the balance paid over annually by the Canada Company to the territorial Revenue. Should the Government find any difficulty in satisfying our claim in Cash from the territorial funds they might grant us an equivalent in wild land in some of the new surveyed Townships: in Ashfield, Euphrasia or Wawanash, in all of which we already hold Land.

The Records of this office <sup>will</sup> show that it was the intention of Lord Lydenham, to have obtained, this arrear for us, had not the more important events of his administration drawn his attention from the subject.

Could this most legitimate resource, which was evidently intended by its Royal founder, to prevent infringement on the endowment be made available, it would also afford sufficient ways and means, for although the equivalent might be in wild Land, its value would be so much beyond the

sum required, that a loan might be taken without scruple from other branches of our funds, or might be borrowed from the Bank —

King's College Office  
Toronto 17<sup>th</sup> July 1846

(Signed) H. Boye Statement A  
Baker



Amount appropriated by Statute Chap: VI Sec. 2: for building the two wings of the University -		£18,000. 0. 0
Expended	Building of S. E. Wing	£10,236. 4. 5
"	Materials for S. W. Wing	2,576. 13. 3    12,813. 7. 8
	Remaining unexpended	<u>£ 5,186. 12. 4</u>

To: W. Cotton Esq<sup>r</sup>    Memorandum, 23<sup>rd</sup> October 1846 Sent to the Private Secretary  
 Private Secretary    the minutes of Council of the 17<sup>th</sup> Oct<sup>r</sup> 1846

To W. Cotton Esq<sup>r</sup>    Memorandum, 1<sup>st</sup> November 1846 Sent to the Private Secretary  
 Private Secretary    the minutes of Council of the 28<sup>th</sup> Oct<sup>r</sup> 1846

From  
 Medical Students  
 Petition.

To the President, Vice President and  
 Council of The University of King's College.  
 The Petition of the Medical Students of the  
 University humbly presents.

That your Petitioners have taken  
 out Tickets for attendance on the University  
 Wards attached to the Toronto Hospital, and  
 that having refused to appear before the  
 Trustees of that Institution for the purpose  
 of being examined by them, with respect to  
 an act committed to the annoyance of one  
 of the Officers of the Hospital - not conceiving  
 the Trustees to be invested with the authority  
 so assumed.

The Trustees have thought fit to deny  
 them access to the Hospital.

Your Petitioners therefore feel it their duty  
 to make this representation to the Council,  
 and humbly request their protection and  
 support.

Signe a

John F. Harvey  
 James Mc. Salmon  
 Charles Cameron  
 Alexander Mc Dougall  
 J. Talbot Hagerman B.A.  
 C. J. S. Askin  
 Marcus White  
 Geo. S. Herod.



Mr.  
Thomas G. Piddock Esq.  
Cashier of the  
Bank of Upper Canada.

King's College Office Toronto  
13 Nov<sup>r</sup>. 1846

Sir,  
I beg to send you the following minute  
of the Council of King's College made at their  
meeting held yesterday;

"At the request of Mr. Sheriff Jarvis the  
Council directed the Bursar to deposit Deben-  
tures in the Bank of Upper Canada to the  
amount of £475 (should have been £425)  
in part of the Mortgage promised to that  
Gentleman: - the Debitures to be reserved  
for the Council, should they at any time  
wish to redeem them with cash."

I request therefore you will attach the fol-  
lowing Debitures, being part of those placed  
by this institution for safe custody in your  
Bank, to the Sheriff's note as a collateral  
security, in the manner pointed out in  
the foregoing minutes:-

Debiture N <sup>o</sup> 13. Rebellion Loans	£ 125. 0. 0
do N <sup>o</sup> 14. London Dist. Coal fund	100 " 0. 0
do " 15. — do —	100 " 0. 0
do " 16. — do —	100 " 0. 0
	<u>£ 425. 0. 0</u>

I have the honor to be,  
Sir

Signed H. Boys.  
Bursar of K. C.

To

Memorandum, 11<sup>th</sup> November, 1846. sent to the Private  
The Private Secretary Secretary the Minutes of Council of the 7<sup>th</sup> Nov<sup>r</sup>. 1846.

To

Memorandum, 13<sup>th</sup> November, 1846. sent to the Private  
The Private Secretary Secretary the Minutes of Council of the 12<sup>th</sup> Nov<sup>r</sup>. 1846.

To

Memorandum, 19<sup>th</sup> November, 1846. sent to the Private  
The Private Secretary Secretary the Minutes of Council of the 16<sup>th</sup> Nov<sup>r</sup>. 1846.



279.177-

From  
George Ridout Esq.  
Cashier.  
W. C. Bank -

Bank of Upper Canada  
Toronto 21<sup>st</sup> November 1846.

Sir,

I have the honor to acknowledge the receipt of your letter of the 13<sup>th</sup> instant authorizing a transfer of 4 debentures, on all £425 - to be held by the Bank as Collateral Security for the prom note of W. B. Jarvis Esq. at 90 days for that amount - with a proviso, that the said debentures be reserved for the Council, should they at any time wish to redeem them with Cash. In reply to which, I beg to inform you, that the said security cannot be accepted by the Bank under the conditions proposed. I am instructed however to receive the debentures offered, under your pledge, that they will be redeemed in six months or twelve months from this date.

I have the honor to be  
Sir

To  
H. Boys Esq.  
Bursar of W. C.

Your most obedient Servt.  
(Signed) Geo. Ridout  
Cashier -

To  
Henry Cotton Esq.  
Private Secy -

Memorandum, 29<sup>th</sup> Nov. 1846. sent to the  
Private Secretary the Minutes of Council of the  
25<sup>th</sup> November, 1846.

Report on the  
Superintending of the  
Pupils, in the Boarding  
House of Upper Canada  
College -

The Committee, to whom it was referred  
Report, that they have given much con-  
sideration to the difficulties, which at present  
exist relative to the superintendence of the  
pupils, resident in the Upper Canada College  
Boarding house. It appears to them, viewing  
the question abstractly, that the best arrange-  
ment is that, which formerly existed, of  
committing the establishment to the care of a



a Resident Master, whose wife should discharge the duties of Matron, with this improvement, however, on the former plan, that he should be assisted by an inspecting Master. The objection to this arrangement at present arises from the circumstances of the present Matron, which require that the superintendence of the pupils should be committed to an unmarried Resident Master. According to existing circumstances, the Committee conceive that there are but two plans, which can be adopted. 1<sup>st</sup> to add to the establishment of the College, another Master, whose principal duty should be the superintendence of the Resident pupils, but who should also assist during the regular hours of instruction, or 2. to assign this superintendence as an additional duty to be discharged by Masters at present in the establishment.

It seems necessary, that one of them should reside in the Boarding House, and this should devolve on the Master, having charge of the Preparatory Form, not merely because this duty has always been connected with that office, but also because that Master is unmarried. The other Masters to be engaged in the duty might be the 1<sup>st</sup> & 2<sup>nd</sup> English Masters, and the French Master, with an addition to their regular salary. The Committee cannot but think, that the 3<sup>rd</sup> Classical Master, as Resident Master of the Boarding House, should have the right to Board, free of expense, whether he takes his Meals at the Common Table, or in his own rooms, in as much as the arrangement was made solely for the convenience of the Matron, who enjoys whatever advantages may be derived from Boarding the pupils in addition to the Salary of £75 per annum.

(Signed) John McCaul  
G. W. Barron

Nov. 25<sup>th</sup> 1846 } 3



To Memorandum, 5<sup>th</sup> December, 1846. sent to the Private  
 W. Cotton, Esq. Secretary the Minutes of Council of the 3<sup>rd</sup> Dec<sup>r</sup>. 1846  
 Private Secretary &

To Sir, H. C. O. T. 4<sup>th</sup> January 1847.  
 Col<sup>l</sup>. Wells. I am directed to communicate to you the following  
 Minute made by the Council of King's College at their meeting  
 held on the 30<sup>th</sup> Ult<sup>o</sup> viz: "that the Bursar be <sup>see min. 14<sup>th</sup> of Dec<sup>r</sup></sup>  
 "30 Dec<sup>r</sup> 1846 payment of the debt."  
 I have the honor to be &c W. B. Bursar, H. C.

To Memorandum. 4<sup>th</sup> January, 1847. sent to the  
 W. Cotton, Esq. Private Secretary the minutes of Council of the  
 Private Secretary 30<sup>th</sup> December 1846

Thos Dr Herrick

To  
 The President and Members  
 of the Council  
 of King's College

Toronto 29<sup>th</sup> December 1846

My Lord and Gentlemen,

In the month of July  
 last I was applied to by Mr. Cochrane to become an  
 endorser for him to a considerable amount on which  
 occasion he stated to me that he was about to  
 make some arrangement with the College  
 Council by which he would be enabled to re-  
 tire the Note when it became due. I told him  
 that before I did so, he should see Dr. McCaul  
 and ascertain from that Gentleman whether in  
 his opinion the Council would complete the  
 purchase of certain Lands which I understand  
 was the subject of negotiation within the three  
 months which the Note would have to run.  
 Mr. Cochrane subsequently informed me that  
 he had done so and that Dr. McCaul had  
 stated that there was no doubt the College  
 would pay the amount before the expiration of  
 the three months, and he also showed me a letter  
 of which I enclose a Copy. Under these circumstances  
 I felt myself justified in putting my name on a  
 Bill for £270. the amount of the purchase money.



of the property referred to by D<sup>r</sup> Boys. This Note was discounted by the Bank of Upper Canada as has I regret to say been overdue some time.

As the amount is considerable, I am becoming anxious on the subject and as I was induced to become security solely on the faith of D<sup>r</sup> Boys letter to M<sup>r</sup> Cochrane and am informed that M<sup>r</sup> Cochrane has executed the necessary deeds for assigning the Lands to the College may I beg that your Honorable Council will direct that steps be taken to relieve me from responsibility.

I have the honor to be

My Lord + Gentlemen

Your most obedient Servant

(Signed) Geo: Herrick.

To  
D<sup>r</sup> Herrick -  
& Co.

Kings College Office - Toronto  
4<sup>th</sup> January 1847.

Sir,

Your letter of the 29<sup>th</sup> Ultimo, respecting the difficulties in which you are placed by the delay in completing the engagement made by the Council to purchase a certain property from M<sup>r</sup> Cochrane, was read in Council at their meeting held on the 30<sup>th</sup> Ult. when the following minute was made thereon, viz - "that D<sup>r</sup> Herrick be informed of the terms on which the purchase was made from M<sup>r</sup> Cochrane; - and that the Council will comply with them accordingly, - and that payment will be made to M<sup>r</sup> Cochrane or his lawfully authorized Agent, of the amount found to be due to M<sup>r</sup> Cochrane on the settlement of his accounts, as soon as there are funds for that purpose".

The terms on which the purchase was made from M<sup>r</sup> Cochrane cannot be better expressed than in the Minute made on that occasion, as follows, - "that the offer of M<sup>r</sup> Cochrane,



"Cochrane to sell the property in Peterborough  
and Port Albert, be accepted as soon as there  
are funds available for that purpose".

I have the honor to be

Sir

(Signed) H. Boys -  
Bursar. K. C.

From,  
The Bank of  
Upper Canada.

Extract.

The Receiver General did not pay  
Interest on the three last (Debentures contained  
in your November list under the following cir-  
cumstances: As issued they bear Interest from  
24<sup>th</sup> Nov<sup>r</sup> 1841. for 2 years at 2 per Cent. The third  
Year 30/- the fourth 40/- the fifth 50/- and the  
sixth 60/- now if the holders are willing to  
exchange them for debentures bearing interest  
at 60/- from 1<sup>st</sup> January 1843. relinquishing the  
20/- interest up to that ~~period~~ time they can  
do so, this arrangement being decidedly ad-  
vantagenous, it was agreed. I should write you  
on the subject and request if the parties con-  
sent to it, that you would send the debenture  
down in order that it may be carried out.

To  
J. G. Ridout Esq.  
Cashier of the  
Bank of U. Canada.

King's College Office, Toronto  
4<sup>th</sup> January, 1847.

Sir,

The extract from the Receiver General's  
letter to you respecting our Welland Canal  
Debentures, having been considered by the  
College Council, they have instructed me  
to inform you they are not disposed to exchange  
the Debentures they hold at present.

I have the honor to be

Sir

(Signed) H. Boys  
Bursar, K. C.



From  
Chief Justice Robinson.

I have since my return from the Circuit several times spoken to the other Judges of the Queen's Bench on the subject of the Minute of the Council of King's College of 30<sup>th</sup> June last, transmitted to me on the 20<sup>th</sup> August; and if our opinion on any points of the kind not formally brought before us can be of service to the Council, we have no objection to say that we conceive that the Principal of Upper Canada College, not being a Professor of King's College, can be no otherwise a Member of the Convocation of the University, than by virtue of some such degree as will make him a member of the Convocation, under the Charter. — And further that in regard to the College Chapel, the Statute 7<sup>th</sup> W. 4. Ch: 16. being silent on the subject and merely directing that the Principal of Upper Canada College shall be a Member of the College Council, and that the College itself shall be incorporated with, and form an appendage to the University, we see no foundation on which any legal claim to precedence can be said to rest in relation to the College Chapel, or any claim to accommodation therein. It must be left, as we consider, to the governing body of the College which we must assume would always be disposed <sup>to provide</sup> so far as may be convenient for those connected officially with the University who do not form part of the domestic establishment of the College.

Toronto 5<sup>th</sup> January 1847

(Signed) J. B. Robinson.  
C. J.



To,  
J. G. B. Cochrane Esq.  
Toronto.

Kings College Office Toronto  
16 November 1846.

Sir,

I beg to inform you that the acceptance of your resignation by the Council of the College took place at their meeting held this day in the following words" - that the resignation of the first Clerk in the Bursar's office be accepted" -

I have the honor to be &c

Signed, H. Boys,

Bursar K. C.

To  
A. Cameron Esq.  
Toronto.

H. C. O. Toronto

28<sup>th</sup> January 1847

Sir,

I have great pleasure in communicating to you that the Council of Kings College have selected you to be the 1<sup>st</sup> Clerk in my office. I should be glad if you could make it convenient to call here to day, or to morrow that I may arrange every thing with you preparatory to your entering on your duties -

I have the honor to be

Signed, H. Boys,

Bursar K. C.

To  
D. G. Thomson Esq.  
Toronto.

H. C. O. Toronto

28<sup>th</sup> January 1847

Sir,

I beg to inform you that the Council of K: College at their meeting held yesterday appointed the salary of 2<sup>nd</sup> Clerk in my office, which situation you hold, to be henceforth £175 per Ann. currency. They also determine that you should find security for the faithful discharge of your duties, yourself in a bond of £200 - and two sureties in £100. each. This they require to be done with as little delay as possible.

(signed) H. Boys, Bursar K. C.



4  
 1/2  
 W. Napington Esq.

Kings College Office Toronto  
 28<sup>th</sup> January 1847.

Sir,

I beg to inform you that the Council of Kings College, at their meeting held yesterday appointed you 3<sup>rd</sup> Clerk in my office at a salary of £150 per annum. They require you should give security for the faithful discharge of your duties, yourself in £100. with two sureties in £75. each - They require this to be done with as little delay as possible -

I have the honor to be &  
 (Signed) H. Boys,  
 Bursar K.C.

From  
 A. Cameron Esq.

Queens Street, Toronto  
 January 30-1847.

Sir,

I have the honor to acknowledge the receipt of your communication of the 28<sup>th</sup> inst. and to state that I fully appreciate the confidence reposed in me by the favorable decision of the Council of Kings College on the subject of my memorial.

In compliance with your request I beg leave to submit for the consideration of the Council, the names of two gentlemen (Clarke Gamble and Charles Jones Esquires) who have kindly offered to become security for the faithful discharge of the duties of my office -

I have the honor to be  
 Sir,

Your most obedient  
 humble servant  
 (Signed) Allan Cameron.



From,  
D. Gilkison,

To  
H. Bay. Esq.  
Sir,

Kings College Office. Toronto  
29<sup>th</sup> January 1847.

In reply to your letter of yesterday, I beg to submit for the approval of the Council, the names of the following gentlemen, Joseph Hamilton M.D. and Henry Nowell Esq: as sureties for the faithful discharge of my duties as 2<sup>nd</sup> Clerk in the Bursar's Office.

At same time, I take the opportunity of expressing my thanks, to the Council for the increase made to my Salary as 2<sup>nd</sup> Clerk.

I have the honor to be  
Signed) D. Gilkison

From,  
R. Brasington Esq.

To  
Toronto.

29<sup>th</sup> January 1847.

Sir,

In reply to your letter of yesterday, stating the favor the Council were kind enough to confer on me - by the appointment of third Clerk in your office, - and at the same time requesting. I would find two sureties in seventy five pounds each for the faithful discharge of my duties. I beg leave to submit the names of Skiffington Connor and Richard Dempsey Esq: both of the City of Toronto, for the approval of the proper authority -

I have the honor to be  
Signed) R. Brasington

To the Private  
Secretary, of His  
Excellency the  
Governor General.

Memorandum of 30<sup>th</sup> January 1847 -  
Sent to the Private Secretary the Minutes of  
Council of the 27<sup>th</sup> January 1847.



the Private Sec<sup>y</sup> Memorandum 11<sup>th</sup> Feb<sup>y</sup> 1847. Sent to the Private Sec<sup>y</sup> the Governor Secretary the Minutes of Council of the 10 Feb<sup>y</sup> 1847 General.

### Report of the Committee

On the Case of  
John Hislop  
in 16<sup>th</sup> Terra

The Committee to whom the case of John Hislop was referred for investigation, report, that they have made minute enquiry into all the circumstances, and have discovered so many irregularities, that they feel it to be necessary to give a more detailed statement of the facts than they can at present prepare. They regret to be obliged to state that the transaction seems to be of a character requiring the gravest notice of the Council in so much as it appears the lot was sold without authority, that the sale was not entered in the monthly returns submitted to the Council, that a consideration was given by the purchaser to one of the Clerks in the Office before he had any authority either by transfer or otherwise to dispose of the lot of which there is no record in the books of the Office, and that the bond for the deed specifies 90 Acres whereas it appears in the books that a certificate was produced by the original purchaser that it contained but 35 Acres of which neither the original nor copy can be found.

Signed, John McCaul.

Toronto Nov<sup>r</sup> 7 1846

( " ) W<sup>m</sup> Gwynne

Second Report of the Committee appointed to investigate the case of John Hislop. The Committee on the case report that they have made minute enquiry into the circumstances of John Hislop, and have ascertained the following facts. It appears from the 16<sup>th</sup> Terra Verbal minute book of U.C.C. p. 103 that "Thomas Wolfe was promised the refusal of the lot," on Thursday Jan<sup>y</sup> 4, 1846. In the margin of this entry the lot is said to contain about 55 acres. The entry itself presents the appearance of having been subsequently added. In the statement of the case, as submitted to Council, it is asserted that in Dec<sup>r</sup> 1844 Hislop made a similar application, but no account of it can be found. In p. 113 of the same Verbal Minute Book the following entry appears. "Tuesday, Feb<sup>y</sup> 10<sup>th</sup> 45.

Mr Thomas Wolfe called and produced a certificate stating that this lot only contained about 53 acres, the Thomas



flooding a great part of it, and proposed to buy at the price promised to him some time previously, viz £5/- an acre. It was agreed to sell him the lot for £68.15.0 of which he paid part of the 1<sup>st</sup> instalment, £4, interest from 24<sup>th</sup> March, 1845."

On February the 19<sup>th</sup> the day following this sale to Wolfe, Mr Cochrane addressed a letter to Wislop, of which the following is a copy:

"Sir, Kings College Office Toronto 19 Feb 1845

Since I saw you in this office the other day, I have received a letter from Mr Bray, who I told you was the purchaser of lot 18, 16 of Zorra, authorizing me to sell it for him for a trifle more than he gave for it, so that if you or your friend still desire to purchase you can settle with me & take out your deed.

I am Sir, your obed<sup>t</sup> serv<sup>t</sup> (signed) John Cochrane  
as a person of the name of Glenidesmum wants to buy I should like to hear from you soon."

On March 1<sup>st</sup> 1845, Mr Bray wrote to Wislop to the following effect.

Mr John Wislop, Sir, Jamestown, Sparta, C.W.  
15<sup>th</sup> March 1845.

I am in receipt of your letter of the 18<sup>th</sup> Feb<sup>r</sup> enquiring whether or no I was willing to dispose of the lot 18, 16 of Zorra, and in reply beg to state, that I have already disposed of it to Mr Cochrane, who is to be found at the Kings' College Office at Toronto, and to whom it will be necessary to treat with for it, as he holds a deed for the same. I remain, Sir, your obed<sup>t</sup> serv<sup>t</sup>.

(signed) Josias Bray.

On the 3<sup>rd</sup> March 1845, Wislop gave a promissory note to Mr Cochrane for £22.15.0 with interest payable twelve months after date. On the face of this Henry Hawkins entered his name as witness. This note was paid by Wislop, for it was found amongst the documents furnished by him, and is now in possession of the Committee.

The Committee have also examined the documents relating to the case, which have been supplied from the office; they are 1. a transfer from Wolfe to Bray dated April 20<sup>th</sup> 1845. 2. a power of Attorney from Bray to Mr Cochrane



dated July 30<sup>th</sup> 1845, and an affidavit of execution made by one of the witnesses on Feb<sup>y</sup> 2<sup>nd</sup> 1846, with the note accompanying it dated Jan<sup>y</sup> 31<sup>st</sup> 1846. 3. a Transfer from Mr Cochrane to Hislop dated the 29<sup>th</sup> Dec<sup>r</sup> 1845, and witnessed by Mr Tricombe.

Neither the original nor a copy of the certificate, stated to have been presented by Wolfe on Feb<sup>y</sup> 18, 1845, could be found.

During the enquiry the Committee had occasion to compare the copy of the Inspector's notes with the original, when it appeared, that an entry had been made in the copy which was not in the original, viz; that the lot contained only 50 acres. It is right to add, that this addition has been explained by the custom of the office of inserting in the Inspector's books all the information obtained relative to any lot. The other irregularities, which they have ascertained in this transaction, are 1<sup>st</sup> That by the Bond given to Hislop 90 acres are sold instead of 55.

2<sup>d</sup> That the lot had not been valued by the Committee for sale of lands, & 3<sup>d</sup> That the sale was not entered in the monthly returns laid before the Council. It does not appear to the Committee that Hislop has been injured by the proceeding. He will have obtained the lot, containing 90 acres for £116.10.0, the sum of £68.15.0 covenanted to be paid to the College and £47.15.0 actually paid or secured to Mr Cochrane, and this is the price of 90 acres at 25/- an acre, with £4 the portion of the 1<sup>st</sup> instalment paid by Wolfe.

March 12<sup>th</sup> 1846

(Signed) { John M. Carr  
Wm. C. Gwynne

To the Private Secretary Memorandum, 8<sup>th</sup> March, 1847. sent to the Private Secretary the Minutes of the proceedings of the College Council at a meeting held on the 6<sup>th</sup> instant



To  
James C. Small Esq.  
Solicitor to the  
University.

Kings College Office. Toronto  
9<sup>th</sup> March 1847.

I beg leave to send you for your guidance  
the following Minute of the College Council, made  
at their meeting held on the 10<sup>th</sup> ulto:

"N<sup>o</sup> 2. Read letters from the Clerks in the  
Bursar's office submitting the names of persons  
to be their Sureties. Which names being ap-  
proved by the Council, the Solicitor was directed  
to draw the usual Bonds in such cases, and see  
to their execution."

Also a Minute made by them at their  
meeting on the 7<sup>th</sup> of November last, as follows,

"N<sup>o</sup> 6. that the amount of the security required  
for the 1<sup>st</sup> Clerk be, himself in £400. and two  
Sureties in £200 each - The 2<sup>nd</sup> Clerk, himself  
in £200. and two Sureties each in £100. - and the  
Extra Clerk, himself in £100, and two Sureties in  
£75."

And by Minute N<sup>o</sup> 10. of the 22<sup>nd</sup> Jan<sup>y</sup> 1847  
last it was ordered that the security for the 3<sup>rd</sup>  
Clerk be the same as was fixed for the extra  
Clerk."

The following are the names of the Clerks  
and of the Sureties offered by them.

First Clerk, Mr. Alan Cameron; Sureties  
proposed Clarke Gamble & Charles Jones Esquires

Second Clerk, Mr. David Gilkison; - Sureties  
proposed Joseph Hamilton, M. D. and Henry  
Russell, Esquire.

Third Clerk, Mr. Richard Sheffington;  
Sureties proposed, Sheffington Connor and  
Richard Dempsey, Esquires -

I have the honor to be

Sir, &c

Signed, W. Boyd,

Bursar, K. C.



Report of the Land Committee on certain The Land Committee recommend that the following charges be removed from Colonel Wells's account.

1. Those on account of Mr E. E. McDougall
2. The Law charges on account of Messrs. Thornhills' & Wadsworth's property, which, they think should be charged to those parties.
3. The Law charges on account of Messrs. Turner's & Patrick's property, if it should appear, that they can be recovered from the parties.

Adopted by Council  
March 1847.

M. B. Vol III p. 388.

The further recommend that Colonel Wells's offer as to the payment of his debt be accepted.

The Land Committee have also examined the cases of Waddy, Foulds & Honeywell, as referred to them by the Council.

They recommend as to the 1<sup>st</sup> that his lease should be cancelled, & the note for £30 returned to him on his giving peaceable possession of the land. — as to the 2<sup>nd</sup> — that he be permitted to lease 19 & 20 in the 11<sup>th</sup> of Seymour, on condition of his building a bridge, according to specification to be submitted to & approved by the Council; — and that on the completion of the bridge, he should have 19 without charge & the right of preemption to 20. — And as to the 3<sup>rd</sup> — that he should be permitted to purchase 25 & 26 in the 12<sup>th</sup> & 13<sup>th</sup> of Seymour at \$5 per acre.

March 6. 1847.

(Signed) John McCaul.

To

Sir,

H. C. O. J. 16<sup>th</sup> March, 1847.

H. Boulton Esq.

I beg to communicate to you a Minute of the Council of King's College made at their meeting held on the 11<sup>th</sup> Inst., viz. — "that the proposal of H. H. Boulton Esq., for the purchase of six houses in Hamilton be accepted, provided the amount of purchase money shall not exceed the sum of three thousand six hundred pounds; and that the Fee Simple of the lands on which the houses are built can be procured for the sum of four thousand three hundred and seventy pounds, sixteen shillings and eight pence to be paid in Provincial Debentures now held by the University bearing six per cent interest. The title to the said lands to be investigated & reported on by the Solicitor and the arrangement contemplated by this resolution not to be



"considered of any effect until the title shall be satisfied,  
and that the same shall be reported on to the Council before  
the final completion of the sale."

If you & the trustees are willing to sell the property  
on the terms of the Minute I request you will signify your  
assent by letter and in that case, please to send me  
the Deeds & Papers relating to the title for our Solicitors  
examination, that the business may be carried through  
as little delay as possible.

I have, &c. H. B. Brown, Secy.

To Memorandum, 17<sup>th</sup> March, 1847. Sent to the Private Secretary,  
the Private Secretary the Minutes of Council of the 11<sup>th</sup> & 15<sup>th</sup> March, 1847.

To Sir, H. C. O. T. 20 March 1847.  
James E. Small Esq. D. W. Boulton Esq. having offered for sale to the  
Solicitor to the Univ. College Council certain property in Hamilton, a Committee  
was appointed to examine into & report upon the  
proposal. At the meeting of the Council held on the  
11<sup>th</sup> Inst. the Committee reported that on examination  
of the title deeds & papers they found that one of the covenants  
in whom the fee of the land on which the Houses were  
built, had not executed the leases to Mr Boulton & that  
in consequence his title was defective. But as the Trustees  
were prepared to sell the fee simple, there could be no difficulty  
in making a final arrangement. The Committee then  
recommended the purchase both of the Houses & the fee simple  
of the ground whereupon the following minute was made,  
—"that the proposal be C. M. B. Vol. IV. p. 387-D. before the final  
completion of the sale."

You will therefore have the goodness to examine  
the deeds & papers connected with this case which Mr Boulton  
has undertaken to place in your hands; and you will  
report thereon at your earliest convenience.

I have, &c. (signed) H. B. Brown, H. C.

To Memorandum, 5<sup>th</sup> April, 1847. Sent to the Private Secretary, the  
the Private Secretary Minutes of Council of the 15<sup>th</sup> & 21<sup>st</sup> March, 1847.



The Hon<sup>ble</sup>  
 P. Papineau  
 Commis<sup>r</sup> of Crown Lands  
 &c &c.

Kings College Office. Toronto  
 17<sup>th</sup> May 1847.

Sir,

On the 2<sup>nd</sup> June 1843, Mr. Morris, then Com-  
 missioner of Crown Lands, addressed a letter to the  
 College Council in behalf of Miles and Archibald  
 McMillan, who had purchased from Government  
 lot N<sup>o</sup> 28 in the 8<sup>th</sup> Con. of Lockiel, at a time when  
 the lot had already been granted to this Institution  
 -, and proposing that the lot should be re-invested  
 in the Crown, and that the College should re-  
 ceive government wild lands in lieu thereof at  
 their usual selling price of 8<sup>s</sup>/an acre, to the  
 amount of the interest the College might have  
 in the lot. To this arrangement the Council  
 have assented; and, as the parties are now ap-  
 plying to this office to have the matter settled,  
 I have requested of Mr. Henderson the Land Agent  
 to act for the College and make a selection of  
 the wild lands to which we shall be entitled; &  
 on his informing me that every thing is arranged  
 I will send him the re-conveyance on our part,  
 and he can then take up the grant for the  
 equivalent. The amount will stand thus;

the minimum price of College Lands ...	250. 0. 0
Rent due from the McMillans, from 23 <sup>rd</sup> Dec <sup>r</sup> 47	101. 15. 0
	<u>£ 351. 15. 0</u>
879 <sup>3</sup> / <sub>8</sub> acres of Government wild lands at	
8 <sup>s</sup> /per acre	<u>351. 15. 0</u>

I have the honour to be  
 (Signed) H. Boys,  
 Bursar, M.C.

James Henderson Esq  
 Land Agent  
 Montreal

Dear Sir,

Kings College Office. Toronto  
 17<sup>th</sup> May 1847

I send you the enclosed letter open  
 for your perusal, and request you will deliver it, and  
 make



To  
 Jas. Henderson  
 Montreal

make the selection of lands for us. On this subject, we have a pretty block of land in Ashfield consisting of Lots 4, 5 & 6 in the 1<sup>st</sup> Con: - 4, 5 & 6 in the 2<sup>nd</sup> Con: & ~~4~~ 5 & 6 in the 3<sup>rd</sup> Con: - if on reference to the proper office, you find the lots contiguous to ours in that township are vacant, we should like to make the selection there; but, if they are taken up we leave the choice entirely to you. I do not expect you will meet with any difficulty in this business; yet, until I hear from you that all is right, I shall not issue directions to our Solicitor to draw up the conveyance of the Lot to the Crown.

Let me know what we are indebted to you for this and other matters.

I remain &c &c

Signea / H. Bays

Bursar, N.C.

To Memorandum, 15<sup>th</sup> July, 1867. sent to the Private Secretary  
 The Private Sec<sup>y</sup>. The Minutes of Council held on the 13<sup>th</sup> Instant.  
 of His Ex<sup>y</sup> the  
 Governor General.

To Memorandum, 20<sup>th</sup> July, 1867. sent to the Private Secretary  
 The Private Sec<sup>y</sup>, re the Minutes of Council held on the 16<sup>th</sup> Instant.

To From  
 The Hon<sup>ble</sup> J. W. Toronto, 7<sup>th</sup> July, 1867.  
 Cameron, Sol<sup>r</sup>. I am authorized by the Executive Government to inform you that it is their intention to submit to Parliament a measure general, to the on the subject of King's College, the principle of which will be Rev<sup>d</sup> W<sup>m</sup> Macell, the division of the endowment, and the repeal of the statute under which that Institution is now managed. It is proposed that the endowment shall be invested in a Board of Trustees consisting of six persons, one to be named by each of the Colleges sharing in the endowment, viz. King's, Queen's, Victoria & Regiopolis', the Principal of U.C.C. ex officio, and a chairman to be appointed by the Government, and that these Trustees have nothing to do with the regulation & management of the Colleges. But only with the care & investment of the funds. That King's College shall receive



£2000 a year, and each of the other Colleges £1500, Kings College retaining her buildings & grounds attached to them - her library, and Philosophical apparatus - and reverting to her old charters; except that her Chancellors & President will be elected by Convocation, and the number of members of Council will be reduced. A School of medicine will be established at Toronto in which there will be lectures on the same subjects as are now lectured on in the University. And the certificates from that School will be received at all the Colleges, and entitle the students conforming to the other regulations of the various Colleges to take their degrees in medicine at any of those Colleges. U.C. College will resort to its own endowment, and also be the District Grammar School. Its debt to Kings College will be cancelled, and its management placed in a board of five members composed of the Principal and Head Master, the Mayor of Toronto, Warden of the District and Judge of the District Court. £2500 a year will be paid to the District Grammar Schools each of which will be entitled to send every second year one boy to any one of the Colleges to be educated free of tuition fees; but no College shall be required to have more than six such students at any one time. The surplus of the Annual Income of the Endowment, if more than 10,000 £s will be invested for purposes connected with learning. The Colleges to be the first charges on the fund, and then the Grammar Schools. The Toronto General Hospital will also be expressly opened to the School of Medicine, so that none of the difficulties that have hitherto existed in the attendance of Medicine students at that Institution will be likely to arise hereafter. Such is the plan which is proposed - and you will be pleased to submit it at once to the College Council for their opinion upon it, which I shall be obliged to you immediately to communicate to me. I believe that this settlement of this long vexatious question will be most acceptable to the Country, and render it that Kings College will assume a position, which I feel convinced will make her known hereafter as the University of Canada.

I have the honor to be,

The Rev. Dr McCaul

Kings College

Yours most obedient,

(signed) J. Dillwyn Curriean



Sir,

Kings College Office Toronto 13 July, 1867.

The Hon<sup>ble</sup> Mr. Wilfrid Laurier  
Solicitor General.

I have the honor to acknowledge the receipt of your note of the 7<sup>th</sup> Inst. (which reached me on the 11<sup>th</sup>) and at the same time to acquaint you that I have submitted it to the College Council at a meeting which was held to day.

The Council entered on the subject with the most anxious desire to acquiesce in any arrangement, where the University might be placed on a firmer basis, and the benefits which it affords, be more generally appreciated & enjoyed. Although they are persuaded that the Institution has been conducted with the most watchful regard to its interests, and the most close conformity to the provisions of the Royal Charter, and Provincial Statutes amending the same, yet they would gladly assent to any modification, which might have the effect of disabusing the public mind of any prejudices existing relative to its constitution or management, and which might thus increase the usefulness of the establishment. But they are not prepared, nor do they feel that they are at liberty, to assent to any alienation of the property committed to their charge: as Trustees of Kings' College they cannot sanction any application of the funds to any purpose, than those for which they were intended. They beg leave therefore to state, that they are opposed to the principle of the measure, which is about to be submitted to the Parliament, relative to Kings' College, viz<sup>t</sup> a division of the Foundation.

Even if the Council felt at liberty to acquiesce in the principle of the proposed measure, they have serious objections to its details as noticed in your communication.

1. They have ascertained that the estimate of the annual income of the University is too high, and that instead of £12,000, per annum <sup>being</sup> ~~being~~ available for the contemplated purposes, there would not remain £9,000 after making the necessary reductions.

2. They cannot anticipate any beneficial result from the establishment of the mixed board of trustees under whose management it is proposed to place the endowment.



University, should in their judgment, have the management of their own portion. It must also be borne in mind, that no provision is made for the expenses of management under this Board, which would probably not be less than they are at present under the Council, upwards of £1000; and there being not as much as £5000 per annum for division.

3. The allowance of £2000 ~~for the wages~~ for the support of the departments in King's College & all the incidental expenses they regard as inadequate. Nor is any provision made for erecting the buildings. — The source from which funds for supporting the School of Medicine are to be supplied is not stated. — With respect to the reversion to the original charter they are of opinion that there are some of its provisions which would not be beneficial to the University under its changed circumstances. Nor can they think that the mode proposed for the appointment of President will be likely to work well: — experience has shown that where heads of Colleges or Halls are thus elected, the preference is generally given to the lax disciplinarian.

4. The Upper Canada College could not be conducted on its present efficient scale from the proceeds of Ashab remains of its endowment — the dues paid by the Pupils — and the portion of the Grammar School fund to be appropriated to it. <sup>is the Board of</sup> <sup>regime. It so composed</sup> <sup>cannot the expectation</sup> <sup>being a benefit to the</sup> <sup>division.</sup> It does not seem reasonable, that the debt to King's College amounting (if interest be included) to about £60,000 should be cancelled without some addition in lieu thereof to the University endowment.

5. Although the improvement of the District Grammar Schools is a very desirable object, yet the fund intended for the support of a University should not be applied to that purpose, particularly as the allowance to the four Universities to whose support it is proposed to apply the endowment, is insufficient, and the Schools have an endowment of their own, besides an annual grant. ~~And~~ The existing arrangements as to scholarships are on a more liberal scale & in the opinion of the Council, more likely to be beneficial to the Grammar schools, than those which it is proposed to adopt.

6. They think it also right to direct attention to the omission of any provision for existing interests which will be most injuriously affected by the proposed changes.



Although they cannot concur in the judgment which you have formed of the advantages of the proposed arrangement they are fully sensible of the interest, which you feel in the prosperity of the University, and are persuaded that if you advocate the measure, your advocacy will be based on a conscientious conviction that it is for the benefit of the Institution & of the Country.

The Council cannot forbear expressing their disappointment that the communication on the subject was made at so late a period as to preclude the possibility of their views being made known before the introduction of the measure into the House of Assembly.

I have the honor to be, Sir,  
Your obedient servant  
(signed) John McCaul.

From Sir, U. C. Col. July 7, 1847.  
T. W. Barron, Esq. I beg you will inform the Council at their  
Principal of U. C. C. earliest meeting that I have been under the painful  
read in Council April 1847. necessity of expelling Andrew Elmes of the fifth Term  
C. M. B. p. 406 for striking a master in the discharge of his duty  
Yours truly, (signed) T. W. Barron, Principal U. C. Col.

Petition of To the honorable the Council of King's College.  
Andrew Elmes. The humble petition of Andrew Elmes humbly sheweth,  
— that he has been expelled from Upper Canada College  
for an act of insubordination against that institution,  
for which he is most heartily sorry, and which he will  
ever regret. He now humbly prays your honorable Council  
to prevail upon Mr Barron as Principal of the Institution  
to re-admit him your humble petitioner.

And he would also humbly beg leave to submit to your  
consideration Mr Maynard's conduct towards him your  
humble petitioner, ~~ever~~ since he first entered the Institution,  
and as a way of atonement for the breach of discipline of which he,  
your humble petitioner has been guilty, but in order to show  
the many provocations which he, your humble petitioner,  
has received from him, the said Mr Maynard.



He, therefore, begs your honourable Council to grant this the prayer of your humble petitioners which will confer a very great favor upon him your humble petitioners, and your petitioners will ever pray for the welfare and long duration of the Institution.

Toronto 26<sup>th</sup> July 1847.

*Vice President's Report* The Vice President reports that he has completed, within the present week, his inspection of the different departments of the University.  
1<sup>st</sup> July 1847.

The property in the Hall is in good order; as is also that in the Chapel, with the exception of some cushions, which have been almost destroyed by Moths: no blame however attaches to the parties in attendance. The Vice President recommends that all those, which have been injured, should be removed and others provided in lieu of them. In some places also the druggist has been so much worn as to require renewal.

To the library considerable additions have been made since the last inspection. A complete & full catalogue is at present in preparation.

The two lecture rooms in the Central Building are in sufficiently good order. as are also those in the West wing. In Professor Murray's the desks require repairs. In the Anatomical & Pathological Museum, there has been but little change: - 10 new preparations are entered in the Register, and others are in different stages of progress. Professor King has contributed to this department four specimens of very great value.

In the General Museum considerable additions have been made, but there is a want of proper cases & shelves for the preservation & arrangement of the specimens. The same want is also felt in the room containing the chemical apparatus, &c. The V. President recommends that Professor Croft shall be authorized to take measures for supplying these wants.

The apparatus illustrative of Natural Philosophy is in good order. He has however suggested some improvements as to the care of it to the attendant.



The anatomical Theatres & dissecting room are in good order, with the exception of a small portion of the wall which requires whitewashing.

The avenue & Grounds are kept in their usual order, but the grass on the side of the Road & walks still suffers from being used as a foot path.

The new building & property therein are in good order. a tank for the north end of the building is much wanted. It would also be better to have the Dining Hall painted & coloured during the Vacation. Some painting & colouring are also required in the Corredores.

July 16, 1847.

To  
The Private Sec<sup>y</sup>. Memorandum, 26<sup>th</sup> July, 1847. Sent to the Private Secretary the Minutes of Council of the 22<sup>nd</sup> Instant.

To  
Andrew Storer Esq, K. C. O. Toronto, 26<sup>th</sup> July, 1847.  
Your Petition to the Council of King's College dated the 20<sup>th</sup> Instant, was submitted to that body at their meeting on the 22<sup>nd</sup> Instant, when I received directions to inform you that the ~~whole~~ whole matter would be taken into consideration at an early opportunity.

I remain, Sir, &c (signed) W. B. Pears, K. C.

To  
The Private Sec<sup>y</sup>. Memorandum, 13<sup>th</sup> August, 1847. Sent to the Private Secretary the minutes of Council of the 12<sup>th</sup> Instant.

To  
The Private Sec<sup>y</sup>. Memorandum, 17<sup>th</sup> August, 1847. Sent to the Private Secretary the Minutes of Council of the 13<sup>th</sup> Instant.

To  
J. G. Mendenhall, Esq. Esq, K. C. O. Toronto, 25<sup>th</sup> August, 1847.  
Having occasion to be away from my office till Friday of the B. M. C. Tuesday next, I request, should there be any occasion to draw on the funds of the College Council in your charge, that you will honor the drafts of the Vice President, Dr Wm. Carr, during the period of my absence.

I have &c W. B. Pears, K. C.

To  
Hon<sup>ble</sup>: D. Daly  
Provincial Secretary  
c. c. c.

Sir, H. C. C. Toronto, 2<sup>nd</sup> August, 1847.  
I have the honor to request that you will move  
His Excellency the Governor General to direct a warrant  
to issue for the usual grant to Upper Canada College  
of £1,000 Sterling, should the same have been voted  
for the current year.  
I have &c. (Signed) H. Boys, Bursar, K. C.

Joseph Wenham Esq.

Mem<sup>m</sup>: 28<sup>th</sup> September 1847. Gave to the Bank of Upper  
Canada my Power of Attorney in favor of their agent  
Joseph Wenham, Esq., to receive for me the sum of  
£1111..2..2 voted by the Legislature for Upper Canada College  
as notified in Mr Daly's letter of the 11<sup>th</sup> Instant.

From:  
D. L. Daly Esq.  
Secy —

Secretary's Office  
Montreal 11<sup>th</sup> Sept: 1847

Sir,

I have the honor by command of the  
Governor General to acknowledge the receipt  
of your letter of the 2<sup>nd</sup> Ult<sup>o</sup>: and received here on  
the 6<sup>th</sup> Instant, praying that a Warrant  
should issue for the amount voted during  
the last session of the Provincial Assembly  
to the Upper Canada College, and to inform  
you that His Excellency has been pleased  
to direct a Warrant to issue in your favor  
as Bursar of the King's College for the sum  
of £1,111, 2, 2 cur<sup>y</sup>: that being the amount  
voted by the Provincial Legislature for  
the Upper Canada College for the present  
Year.

To/  
H. Boys Esq.  
Bursar. King's Col.

I have the honor to be &c  
(Signed) D. Daly  
Secy:

To  
Private Secretary

Memorandum, 4<sup>th</sup> October, 1847. Sent to the Private Secretary  
the Minutes of Council of the 1<sup>st</sup> Instant.



Report on the Petition The Letter of Andrew Elmer having been referred to the  
of Andrew Elmer by Principal, he begs to state that he fears from the  
the Principal of M.C.C. unwillingness which the Boy exhibited in private  
interviews with the Principal to submit to the Terms  
on which he might have returned to College before his  
expulsion took place, his re-admission would be attended  
with serious injury & therefore he grieves to say that he  
cannot recommend it.

The Principal however thinks that that part of A. Elmer's  
letter in which he begs the Council to take into consideration  
Mr Maynard's conduct towards him, should be attended to  
as the Principal conceives that the conduct of any master  
who descends to insinuations against the vocation of a  
Pupils' father, is so alien from the character of the Institution  
that the Principal thinks that the only person who does  
not suffer from such conduct, should not be the one who  
is the cause of all the difficulty & the annoyance.

The Principal therefore recommends that the  
Proctor with himself be a committee to enquire into  
that part of A. Elmer's letter respecting Mr Maynard's  
conduct, & report thereon to the Council.

To Sir, Kings College Office, Toronto, 5<sup>th</sup> Oct. 1847.  
Mr Andrew Elmer I am directed to inform you that the College  
Council, after an anxious & careful consideration of  
your case, have found themselves unable to sanction  
your re-admission to Upper Canada College.

The allegations you have made against Mr  
Maynard have also been considered, & a committee  
of investigation has been appointed on that gentleman's  
conduct. I am, Sir, very respectfully,  
Yours, W. Boyd, Registrar, M.C.C.

To Memorandum, 12<sup>th</sup> Oct. 1847. sent to the Private  
The Private Secretary Secretary the Minutes of Council of 7<sup>th</sup> Oct. 1847.

To Memorandum, 9<sup>th</sup> December 1847. Sent to the Private  
The Private Secretary Secretary the Minutes of Council of the 8<sup>th</sup> Dec<sup>r</sup> 1847.



Report of the  
Committee on the  
College Avenue  
submitted to Council

Dec. 20, 1847.

Min. N° 3 of 8 Dec. 7.  
911.15. p. 432.

November 24<sup>th</sup> 1847.

The Committee on the College Avenue  
beg leave to add to their former report the  
following remarks and recommendations.

- 1- They find that the present system of manage-  
ment, by which the gate at the head of the  
great Avenue is occasionally closed against  
all who have not Keys, operates injuriously  
on the families and students, resident on the  
grounds; inasmuch as their visitors are  
thus unable at times, and more especially  
in inclement weather, to obtain access to  
them in a carriage;— and their Medical  
attendants have been compelled to walk  
at night from the head of the Avenue  
to the residences of those whom they were  
attending.

They therefore think that it is high-  
ly requisite that a gate-keeper should be  
stationed at the head of the Avenue to open  
the Gate upon all proper occasions; and  
consequently that a lodge should be erected  
there for his accommodation.

- 2- They find that in consequence of the  
more frequent necessity of access to the College  
grounds, arising from the increased num-  
bers of students in residence and other  
causes, the system of restricting free access  
to the grounds to those who have Keys with  
them has become highly inconvenient  
even to the members of the governing body  
of the University.

They therefore recommend that ~~visitors~~  
lists should be furnished to the Gate-keepers  
of those persons to whom they shall be  
bound at all times to open the gates; and  
that the gate-keepers should be instructed  
to be in readiness for the purpose when-  
ever such persons present themselves.



They recommend that this list should be restricted for the present to the Visitors, Members of Council and Professors, to those who shall have sustained either of those offices, and to those whom it may appear proper to the Council to place on the list; and also that any persons shall be admitted who state themselves to be Visitors of persons residing either in the College Building or in the Observatory.

- 3- It likewise appears that emergencies are occasionally arising, in which it is desirable that there should be some Member of Council resident on the grounds competent to give directions for the time; who may be regarded as responsible for any changes made, whose business it may be to suggest to the Council from time to time such further regulations as experience may show to be desirable, and by whom the Council may communicate with the Superintendent: - that the Dean has occasionally been appealed to in cases of this description, and in urgent cases has acted; but that he has frequently refrained from acting, because he felt that he had no direct authority for so doing, even when it would have been for the convenience of others or for the benefit of the Institution, that he should have acted.

The Committee therefore suggest that the Professor having charge of the Students in residence, so long as he is a member of the Council, should be authorized to take a general direction of the grounds, to act on any emergency on which it may appear conducive to the interests of the College that he should so act, and to report from time to time any measures which may to him appear desirable.

(Signed) James Beaven,  
Chairman -



To Memorandum 14<sup>th</sup> January, 1848. Sent to the Private  
 the Private Secretary Secretary the Minutes of Council of the 12<sup>th</sup> January 1848.

To Memorandum 27<sup>th</sup> January, 1848. Sent to the Private  
 the Private Secretary Secretary the Minutes of Council of the 26 Jan<sup>y</sup>, 1848

The Committee, appointed by Minute N<sup>o</sup> 4 of 16 November 1846 to examine and report on the Bursars Statement relative to the manner in which the business of his Office is at present conducted, offer the following recommendations.

### I. As to the Books.

That of the present Books, the Verbal Minute Book shall be discontinued, and that all applications for purchase or lease shall be in writing - the Copy attested.

Books -

That there shall be in addition to the other Books at present in use, an Investment Book, shewing how monies have been Invested, ~~and~~, and, if security changed, how disposed of - also a Cash Receipt Book, shewing daily receipts for purchase money, interest and rent, each under a separate head.

### II. As to Sales, Leases &c.

Sales, Leases &c. That Bonds for Sale or Lease shall be drawn with a condition not to assign without consent of Corporation. That assignments shall be proved by affidavit. That instruments shall be made out only in duplicate.

### III. As to the Clerks.

Clerks -

That there shall be three Clerks, under the orders of the Bursar and that their salaries shall be. 1<sup>st</sup> Clerk £200.0<sup>0</sup> per annum,



2<sup>nd</sup> Clerk, £175. Gs. per annum and 3<sup>rd</sup> Clerk  
£150 6s. 7d. per annum.

That the duties of the 1<sup>st</sup> Clerk shall be  
to receive all persons coming on Land business -  
investigate their cases - bring their accounts to  
the Bursar and settle what is due thereon - make  
out receipts - take money - bring the same to  
Bursar - and get his signature to receipt, having  
previously affixed his own initials - When  
parties apply for Leases, Bonds, or Deeds, he  
shall consult with the Bursar, and if on examina-  
tion of the Books, he ~~will~~ shall find their claims  
just, he shall prepare a Note, on which the  
other Clerks can make out the necessary docu-  
ments - prepare the answers to all letters, when  
the Bursar does not himself answer - get Bursar  
signatures to such answers - Superintend  
and distribute the work of the other clerks,  
under the direction of the Bursar.

Clerks.

That the following shall be the Books,  
for which the 1<sup>st</sup> Clerk shall be held responsible

Endowment Book  
Survey Book  
Instalment Book  
Cash Receipt Book.

That the duties of the 2<sup>nd</sup> Clerk, shall  
be to have charge of the accounts - to make  
out a fair Journal from the Cash Book -  
post to the Ledgers - to the Rent Book for  
K. C. and U. C. C. and the Instalment and  
Interest Books of K. C. & U. C. C. and from the  
Journal to make out the Bursar's Quarterly  
Accounts and Abstracts of Services separately  
for K. C. & U. C. C. That the following shall  
be the Books, for which the 2<sup>nd</sup> Clerk, shall  
be held responsible -

Journals -

Ledgers.

That the duties of the 3<sup>rd</sup> Clerk.



shall be to enter correspondence, and write out Leases, Bonds and Deeds-

That the following shall be the Books for which the 3<sup>rd</sup> Clerk shall be held responsible -

The Entry Book

The Letter Books.

That these duties may be interchanged by direction of the Bursar.

That the hours of attendance shall be from 10 to 4, o'clock. That on Council days, if the sitting be continued beyond 4 o'clock, at least one clerk shall be required to ~~remain~~ remain in the office, until the Council rises.

Clerks.

That the Holidays in the Bursar's Office shall be the same as those in the Bank of Upper Canada.

That the Clerks shall report to the Bursar any errors, or irregularities, that may come under their notice in the Books and documents belonging to the Office.

That they shall not make any erasures or obliterations in the Books or documents of the Office or destroy any documents or Leases or Bonds, or make any additions or alterations to original entries, without referring to the Bursar. When alterations or corrections are necessary, they are to be made by passing a pen through erroneous words or figures, leaving the original entry still legible, and when important alterations are to be made, they must appear as additions by using a differently coloured ink or by some other means; and when necessary, the date of such subsequent addition, must be mentioned, and the initials of Bursar or Clerk, making the alteration, be added.

The Clerks are not to give infor-



information respecting Lands or Official concerns to persons applying for the same, without previously referring to the Bursar.

The Clerks shall adhere to the Regulations of the Council, that they shall not directly or indirectly have any dealings in Land belonging to or under the control of the Corporation; nor shall they use the information, which they may acquire in the Office respecting such Lands to favor the Speculations of any person whatever.

That the Bursar, shall himself keep the Minutes of Council, conduct the general correspondence of same, countersign receipts, sign Cash income-Book-keep Cash Blotter, take general supervision of the Office, and direct such additional work of the Clerk as may appear to him necessary.

#### IV. As to the General Management.

The  
Committees

That Special Committees shall be appointed, one having charge of the Finances the other of the Lands and that the management of the business in the Bursar's Office shall be superintended by them - by the former, the Monthly, Quarterly and Annual Statements of Receipts and Disbursements, Investments &c. - By the latter, the issuing of Bonds, Deeds, Leases &c. that to the latter, it shall also appertain to have charge of the Seal and to direct its application. - That the latter shall also prepare from time to time as they may deem it necessary, a valuation of the lands remaining unsold.

That any one member of the Committees shall be competent to authorize the action of the Bursar in their respective departments, except in the valuation of lands, which shall be made by a majority of the Committee.

Although the duty assigned to the



Committee may be regarded as now discharged they feel that they would omit a very important incidental part, if they did not press upon the attention of the Council the expediency of maintaining at least the nominal amount of the endowment, taking care, however, that these new purchases shall not be confused with the original grant. In this way, they conceive, whilst the endowment may be rendered available for present legitimate purposes of Investment, either as Principal, yielding interest for annual expenses, or as Capital, supplying the Stock necessary for conducting the business of the Institution, the interests of future generations will be regarded, so as to secure, as far as may be, the perpetual enjoyment of the advantages contemplated by its Royal Founder.

To Memorandum, 3 Feb<sup>r</sup> 1848. Sent to the Private Secretary,  
Private Secretary the Minutes of Council of the 2<sup>nd</sup> February 1848.

To Memorandum, 5<sup>th</sup> Feb<sup>r</sup> 1848. Sent to the Private  
Private Secretary Secretary the Minutes of Council of the 5<sup>th</sup> Feb<sup>r</sup> 1848.

To Memorandum, 24<sup>th</sup> Feb<sup>r</sup> 1848. Sent to the Private  
Private Secretary Secretary the Minutes of Council of the 23 Feb<sup>r</sup> 1848.

To Memorandum, 2<sup>nd</sup> March 1848. Sent to the Private  
Private Sec<sup>y</sup> Secretary the Minutes of Council of the 1<sup>st</sup> March, 1848.

Report of the President on the business in the Bursar's Office. The President feels it to be his duty to avail himself of this the earliest opportunity to direct the attention of the Council ~~and~~ <sup>to</sup> the great arrears of business in the Land-department of the Bursar's Office, and the prospect of a further accumulation, if the business should continue to be managed under the existing regulations.

It appears, that there are at present



270 applications for lease or purchase, which remain unanswered. In addition to this arrear, questions affecting the rights of parties, who have claims on the Corporation, are continually presenting themselves, which require immediate settlement.

As the Bursar has no authority to take the prompt action, which is required in many of these cases, and cannot answer the applications for lease or purchase, until he receives instructions from the Land Committee, which meets but once in each week, it seems obvious that the evil will not only remain unremedied, but that it will be most materially aggravated as long as the present regulations continue in force.

The President therefore recommends that immediate steps should be taken to ensure the quick despatch of business, which is necessary alike for the satisfaction of those who have dealings with the Corporation, and for the interests of the University itself.

February 19<sup>th</sup> 1848.

To

Memorandum 17<sup>th</sup> March, 1848, sent to the Private Sec<sup>y</sup> the Minutes of Council of the 15<sup>th</sup> instant.

To

The Private Sec<sup>y</sup> Memorandum, 20<sup>th</sup> March, 1848, sent to the Private Sec<sup>y</sup> the Minutes of Council of the 18<sup>th</sup> instant.

To

Memorandum, ~~21~~<sup>27</sup><sup>th</sup> March, 1848, sent to the Private Sec<sup>y</sup> the Minutes of Council of the 22<sup>nd</sup> March 1848

To

Memorandum, 31<sup>st</sup> March, 1848, sent to the Private Sec<sup>y</sup> the Minutes of Council of the 29<sup>th</sup> March, 1848.



To

Sir,

K. C. O. T. 12 May, 1848.

The Hon. R. B. Sullivan

Pro: Secretary

de. de. de.

I have the honor to request that you will move His Excellency the Governor General to direct a warrant to issue for the usual grant to Upper Canada College of £1000 Sterling, should the same have been voted for the current year

I have the honor to be &c. (signed) H. Pops, Bursar, &c.

From

D<sup>r</sup> Sir

Mon: 23 May 1848.

The Hon. Rob. Baldwin

Will you be good enough to procure & furnish me with a copy of the late proposed Statute respecting the office & salary of the President of the <sup>colleges</sup> University  
D<sup>r</sup> Pops, Bursar, &c. I remain, yours &c. Rob. Baldwin.

To

D<sup>r</sup> Sir,

Kings College, Toronto, 27 May 1848

The Hon. Rob. Baldwin

H. Gen: &amp;c.

Enclosed, ~~therein~~ I beg to send you a copy of the late proposed Statute respecting the office & salary of the President of the College - as required in your note of the 23<sup>d</sup> instant.

I remain, D<sup>r</sup> Sir, yours very truly, H. R. Angus.

From

R. B. Sullivan

Pro: Secretary

&amp;c. &amp;c.

Secretary's Office -

Montreal 15 June 1848

Sir,

I have the honor, by Command of the Governor General to inform you that His Excellency has had under consideration your letter of the 12<sup>th</sup> ulto: applying for the sum of £1000 Sterling the amount of the annual grant in aid of Upper Canada College, and that His Excellency has been pleased to direct the issue of two Warrants in Your favor for £555.11.1 each for the above service, payable on the 30<sup>th</sup> June and 31<sup>st</sup> December respectively.

I have the honor to be

Y<sup>r</sup>

H. Pops Esq.  
Bursar, &c.

Sir

Your Most Obedt Servant  
Sg/ R. B. Sullivan



To  
J. G. Ridout Esq.  
Cashier of the  
B. of M. C.

H. C. O. Toronto.

20 June 1848.

Sir,  
You will perceive by the accompanying copy of a letter from the Provincial Secretary that His Excellency the Governor General has directed two warrants to issue in my favor for £555. 11. 1 each. I request you will allow your Agent in Montreal to take up said warrants and obtain payment for them when they become due, namely on the 30<sup>th</sup> June and 31<sup>st</sup> December respectively. and to enable him to do this, I signed a power of attorney in his favor this morning and left it in your Office -

I have the honor to be  
Yrs  
J. G. Ridout, Esq. } Signed H. Boys,  
Montreal, H. C.

To Memorandum 1<sup>st</sup> July 1848. Sent to the Private Secretary  
the Private Secretary the Minutes of Council of the 28<sup>th</sup> June, 1848.

To  
Mr. H. C. O. Connor, R.D.

Sir, H. C. O. Toronto, 3<sup>rd</sup> July 1848.

I have the honor to inform you that at a meeting of the Council of King's College held on the 28<sup>th</sup> Ult<sup>o</sup> it was moved - "that Mr. Blake's request that Dr. Connor be appointed to perform his duties as Lectures & Examiners in Law during his temporary inability to discharge the duties himself be acceded to." - which motion was put and carried. I have the honor to be, &c. (signed) H. Boys, Reg<sup>r</sup> H. C.

To  
The Hon<sup>ble</sup> J. B.

Sir,

King's College Office, Toronto, 22<sup>nd</sup> July, 1848.

In accordance with the requirement of the Charter of King's College that "the Statutes shall be forthwith transmitted to the Visitors," I have the honor to enclose herewith copies of two Statutes passed by the College Council on Thursday last.

I have the honor to be, Sir, &c. &c. &c.  
Signed H. Boys, Registrar, H. C.



To Memorandum, 22 July, 1848. Sent to the Private Secretary  
to the Private Secretary. the Minutes of Council of the 19<sup>th</sup> Instant.

To Memorandum, 24<sup>th</sup> July, 1848. Sent to the Private Secretary  
to the Private Secretary. the Minutes of Council of the 20<sup>th</sup> Instant.

To Sir, K. C. O. Toronto, 24 July, 1848.  
Each of the following gentlemen I have the honor to enclose herewith a copy of  
a Statute passed by the College Council on Thursday last  
Messrs. Waterhall Esq. of Nelson which I have been directed to transmit to you.  
Esq. of Brockman Esq. of Toronto  
Esq. of Barton Burns Esq. of Toronto. I have the honor to be, &c. (signed) H. B. Registrar, K. C.

To Sir, K. C. O. Toronto, 27 July, 1848.  
I am directed to refer the following minute of  
the Council of King's College made at their meeting  
held on the 28<sup>th</sup> Ult<sup>o</sup>, to you for your opinion thereon.  
viz<sup>t</sup> — "That the opinion of the Solicitor be taken  
whether W. H. Blake, Esq., Professor of Law & Solicitor  
General, can take his seat in the Council in both  
capacities; and whether he can elect in which  
capacity he shall take his seat, respect being had  
to the circumstances that in the former case the number  
of members of Council ordained by the act amending  
the Charter is not complete; and in the latter case  
the right of another Professor to a seat in the Council  
may be infringed."

I have the honor to be, &c.  
H. B. Registrar, K. C.

To Sir, K. C. O. Toronto, 29<sup>th</sup> July, 1848.  
The Private Secretary I perceive that in transmitting to you the  
minutes of the proceedings of the Council of King's  
college of the 20<sup>th</sup> Inst<sup>o</sup> I sent you imperfect copies  
of the two Statutes passed & adopted on that day,  
inasmuch as the copies did not express the mode in  
which the several clauses were passed in respect to  
agents & disbursements. I request, therefore, that you will  
allow me to substitute correct copies, which I now  
enclose in place of the defective ones to be withdrawn.



and cancelled.

I have the honor to be, &c. (signed) H. Boyd, Reg. K. C.

To Sir, H. C. C. Toronto 2<sup>nd</sup> Aug. 1848.

The young, Esq. I have the honor to communicate to you that at the  
Architect to the meeting of the Council of King's College held on the 20<sup>th</sup> Ult<sup>o</sup>  
University the following resolution was passed — "that Mr Young be  
"informed that his services as Architect will be dispensed  
"with at the expiration of his present year's engagement."

I have, &c (signed) H. Boyd, Registrar, K. C.

From  
J. T. Campbell Esq,  
Major,

Government House  
Montreal 9<sup>th</sup> August 1848.

Sir,

I am directed by the Governor General to acknowledge the receipt of your letter of the 29<sup>th</sup> Ult<sup>o</sup>, enclosing correct copies of two statutes passed on the 20<sup>th</sup> of the same month, and to inform you that the defective ones formally received will be cancelled — and the present substituted in their places.

I have the honor to be  
Sir,

To/  
Mr. Boyd, Esq

Your most obedient Servant  
Signed / J. T. Campbell, Major

From Sir Toronto 29<sup>th</sup> July, 1848.

J. E. Small, Esq, I have the honor to acknowledge the receipt of  
Sol. to the University your letter of the 27<sup>th</sup> Inst<sup>o</sup> enclosing the following Minute  
of the Council of King's College made on the 28<sup>th</sup> Ult<sup>o</sup>  
for my opinion thereon: viz<sup>t</sup> "That the opinion of the  
"Solicitor be taken whether W. H. P. Baker, Esq<sup>r</sup>, Professor of  
"Law & Solicitor General can take his seat in the Council  
"in both capacities, and whether he can elect in which  
"capacity he shall take his seat, respect being had to the  
"circumstances, that in the former case the number of  
"members of Council ordained by the act amending the  
"Charter is not completed, and in the latter case, the right  
"of another Professor to a seat in the Council may be infringed"



Upon reference to the Act, 7<sup>th</sup> Wm 4<sup>th</sup> Chap. 16. Amending the Charter of King's College, it appears that "The members of the College Council, including the Chancellor & President shall be twelve in number of whom the Speakers of the two Houses of the Legislature of the Province and His Majesty's Attorney & Solicitor General for the time being shall be four, and the remainder shall consist of the five senior Professors of Arts & Faculties of the said College, and the Principal of the Minor or Upper Canada college."

Nothing can be plainer or more explicit than the language of this act. "The Members &c." "shall be twelve in number" of whom the Speakers of the two Houses of the Legislature, and the Attorney & Solicitor General shall be four, and the remainder shall consist, &c.

I am of opinion that the moment Mr Blake was sworn in as Solicitor General he became ex officio a member of the College Council, and one of the four particularly named in the act, and I cannot conceive that by any construction of a subsequent part of the same act, he can be held to be one of the remaining six.

The act of Parliament having given him a seat at the Council Board as Solicitor General and having declared that as such he shall make one of a Council of twelve, in my opinion destroys his right to a seat as Professor, or rather places it in abeyance.

There appears to me to be nothing in the Act to prevent Professors in the University from being appointed Speakers of the two houses of the Legislature, Attorney General and Principal of Upper Canada College as well as Solicitor General and in such case, should they all have a right to take their seats in both capacities, and elect to do so, the Council would be reduced to seven members, contrary to the letter & spirit of both the Act & Charter.

Taking this view of the case, I am of opinion that Mr Blake cannot take his seat as a member of the Council in both capacities; and that so long as he retains the office of Solicitor General he must, whenever he takes his seat take it in that capacity. I have &c. signed Jas. B. Small.

E. W. Pratt, Esq. of  
Superior, King College



To  
the Private Secretary, 4th Private Secy, the Minutes, at the  
20th August.

To My Dear Sir, K. C. O. S. 20th August 1840.  
I have the honor to inform you that the  
College Council at their meeting held on the 20th inst. have  
submitted to the Council on the 20th inst. & was  
at that time "referred for consideration" at a meeting  
of the Council & to this day no order was made "that  
the Council inform the Bishop, that the Council regret  
"that they do not feel themselves at liberty to alter the  
"decision to which they formerly came relative to Mr  
"MacKinnon's application for payment of the costs  
"incurred in the case of Priestman's Chancery suit."  
The decision alluded to was communicated to Mr  
MacKinnon on the 7th inst. and was as follows - "that  
the Council does not give an examination of the Minutes  
of the House of Education or otherwise, that any  
liability has been incurred by Mr MacKinnon which  
ought to be discharged out of the funds of King's College."  
I have the honor to be  
Yours truly  
H. K.

To My Dear Sir, K. C. O. S. 20th Sept 1840.  
I have the honor to inform you that the  
College Council at their meeting held on the 20th inst. have  
submitted to the Council on the 20th inst. & was  
at that time "referred for consideration" at a meeting  
of the Council & to this day no order was made "that  
the Council inform the Bishop, that the Council regret  
"that they do not feel themselves at liberty to alter the  
"decision to which they formerly came relative to Mr  
"MacKinnon's application for payment of the costs  
"incurred in the case of Priestman's Chancery suit."  
The decision alluded to was communicated to Mr  
MacKinnon on the 7th inst. and was as follows - "that  
the Council does not give an examination of the Minutes  
of the House of Education or otherwise, that any  
liability has been incurred by Mr MacKinnon which  
ought to be discharged out of the funds of King's College."  
I have the honor to be  
Yours truly  
H. K.



to your despatch at the time, but it escaped my attention. I am exceedingly sorry at having been so remiss. I have the honor to be, Sir,  
Yours truly,  
H.B.

From Sir, Government House, Montreal, 13 Sept. 1840.  
Major Campbell  
Priv. Secy to His  
Excellency.  
I have the honor by command of the Chancellor to state for the information of the College Council that His Excellency is pleased to appoint Sheffington Connor of Toronto Doctor of Laws to be Professor of Law in the University of King's College.  
H. Boys, Esq. I have, &c. (signed) J. E. Campbell, Major.  
Bursar, King's College.

From Sir, Toronto 16<sup>th</sup> Sept. 1840.  
Sheffington Connor Esq.  
I beg to inform you that I have had the honor to receive from the Chancellor of King's College University a warrant appointing me to the vacant Professorship of Law in that University.  
I am, Sir, &c.  
To D. Boys, Bursar, K.C. University. (signed) Sheffington Connor.

To Sir K. C. O. T. 16<sup>th</sup> Sept. 1840.  
Sheffington Connor, Esq.  
I have the honor to acknowledge the receipt of your letter of this day's date informing me that you have received from the Chancellor of this University a warrant appointing you to the vacant Professorship of Law in the University; And I beg to say I will immediately transmit the information to the President.  
Sheffington Connor, Esq. I have, &c. (signed) W. B. Bursar, K.C.

To My Dear Sir, K. C. O. Toronto 28<sup>th</sup> Sept. 1840.  
Re D. Beaven.  
I am directed by the 9<sup>th</sup> Minute of the Council held yesterday to request that you will furnish me with your Report on the subject of boarding the students in the new buildings, called for by Minute N<sup>o</sup> 19 of the 20 July last. The Council having adjourned to the day after tomorrow (Saturday at 3 o'clock) for the purpose of receiving the same.  
I have, &c. H. Boys.



17  
20

Memorandum, 2<sup>nd</sup> Oct. 1848. Sent to the Private Secretary  
The Private Secretary the Minutes of Council of the 27<sup>th</sup> Ult<sup>o</sup>.

From

Sir,

Toronto 4<sup>th</sup> Oct. 1848.

The Lord Bishop of  
Toronto,

I have the honor to acknowledge your letter of Sep. 8<sup>th</sup> (which my absence on duty has prevented me from noticing sooner) containing proceedings of the College Council relative to some drafts of statutes said to have been transmitted to me while President of King's College, by the late Sir Charles Bagot then Chancellor of the University for my advice, before submitting them to the College Council. The letter concludes with the following resolution "that the Lord Bishop be requested to authorize the President to transmit the Statutes referred to for their information".

Having little or no recollection of the alleged Statutes, I wrote a note to the Rev. Dr. McCaul the President requesting him to return them to me, which was immediately complied with.

On examining the papers, I find them to be the rough drafts of two Statutes, which His Excellency Sir Charles Bagot after he should have consulted with me as provided for in the Charter, proposed to submit for the consideration of the College Council. The result of the consultation or reference to me accompanied the drafts, when sent back to Kingston, and in due time they were returned with such modifications as to His Excellency the Chancellor seemed good, and then laid before the College Council, and were passed by that body like all other Statutes, Rules & Ordinances, after mature deliberation.

Such being the facts of the case, I feel much regret at not being able to comply with the resolution of the College Council. The advice given in this, as in all similar occasions, whether adopted or not, was strictly confidential.

The Chancellor is required & enjoined by the Charter to consult with the President and next Senior Member of Council respecting all Statutes, Rules & Ordinances



"to be proposed to the said Council for their consideration."

Now it is evident that such consultations are from their nature private & confidential and intended to be so — and therefore not fit matters of communication beyond the three immediately concerned. accordingly during the twenty years of my Presidency no request was ever before made to me by the Council for information respecting any of the many consultations I had from time to time with the different Chancellors relative to the measures to be brought before them.

I think it but justice to add that on the occasion alluded to the Senior Member of Council, tho' consulted by me, so far as I can recollect, offered no advice, & is therefore no more responsible for the Statutes than any of the other members of the Council, who passed them.

I have the honor to be, Sir,  
 Dr Boys,                      Yours most ob<sup>t</sup>. W<sup>m</sup> L<sup>o</sup> L<sup>o</sup>  
 Reg<sup>t</sup> & Bursar, King's Coll: &c &c. (signed) John Toronto.

To                      Memorandum, 6<sup>th</sup> October, 1848. Sent to the Private  
 Secretary the Minutes of Council of 30<sup>th</sup> M<sup>o</sup> C<sup>o</sup>.  
 Memorandum 30 Oct. 1848. Sent to the Private Secretary the Minutes  
 of Council of 25 & 28 Oct. 1848.

To                      W. C. W. Toronto  
 L. G. Ridout, Esq:                      Sir,                      6 November 1848  
 Cashier  
 B. U. C.  
 I have received instructions to request that you will, in compliance with the postscript to your letter of the 18<sup>th</sup> June 1844, be pleased to redeem the (Debentures which that letter refers to namely the Debenture of the City of Toronto N<sup>o</sup> 269 amounting to £300; and the 16 Debentures of the London District Goal Fund, numbered from 1 to 16 of £100 each which Debentures are all now in your hands for safe custody and management.  
 On your informing me that you have carried this into effect to the credit of the College Council in your books by placing the principal amount together with the accrued interest



interest, I will immediately forward to you your receipts.

I have the honor to be

Sir -

(Signed) H. Boys.

Bursar K. C.

To/  
B. Furgund Esq. Sir!

K. C. O. Toronto

6 November 1848

I have the honor to transmit to you the following minute of the Council of King's College - made at their meeting held on the 1<sup>st</sup> Instalment, viz -

"Read a letter from Mr. John Furgund of his effects and debts."

In compliance therefore with the minute I have to request you will send to this office the detailed statement mentioned as soon as you can make it convenient

I have the honor to be

Sir,

(Signed,) H. Boys.

Bursar K. C.

To/  
Mrs Powell,

K. C. O. Toronto

Sir/Dear Madam, 4 Nov<sup>r</sup> 1848

It is with feelings of much regret I have to communicate to you the following minute made by the Council of King's College at their meeting held on the 2<sup>nd</sup> Inst. viz - "Resolved, - That the Bursar be directed to inform Mrs Powell that on the 1<sup>st</sup> of May next ensuing being the date of the expiration of her current year her services as Housekeeper of the West Wing of the University Building will not be required."

I have the honor to be

(Signed) H. Boys.

Bursar K. C.



To  
 Mrs. Cosens.

Kings College Office, Toronto  
 4 November 1848.

Dear Madam,

I am sorry it falls to my duty to communicate to you the following minute passed by the College Council at a meeting held by that body on the 2<sup>nd</sup> Instant; namely "That the system which is at present pursued, as to the management of the Boarding House, be discontinued after the ensuing Christmas vacation" and "that Mrs. Cosens receive over and above all her legitimate pecuniary demands upon the Council, the sum of £75. from the time she ceases to be Matron of the Boarding House; and that such sum shall be considered as closing all further claims from her upon the University."

It is with the same feelings of regret I must inform you of the result of your Memorial to the Council dated yesterday which was presented to that body by the Principal of Upper Canada College at their meeting held yesterday; when they declined making any alteration in the decision they had come to in the foregoing minute. The particular minute made on this latter occasion shall be transmitted to you in the course of the day as soon as the fair transcript of the minutes has been confirmed by the President.

I have the honor to remain  
 (Signed) H. Boys,  
 Bursar, K.C.

To  
 Mrs. Cosens

K.C.O. Toronto  
 4<sup>th</sup> November 1848

Dear Madam,

I am now enabled to send you the Minute, made by the College Council on your memorial of yesterdays date presented to them by the Principal of Upper Canada -

College at their meeting held yesterday; It is as follows. Resolved "That the Bursar be directed to inform Mrs. Cosens that after anxious and mature deliberation of the matters set forth in her Petition the Council have come to the conclusion that the Council cannot depart from the system of management adopted with reference to the Boarding House upon the recommendation of the Principal of Upper Canada College.

To/  
J. G. Ridout, Esq. Sir/  
Cashier  
B. W. C.

N. C. C. Toronto.

3 November 1848.

I beg to enclose Government Debentures of £5. and £2. 10. 0 amounting to £45 being as particularized in the accompanying list and request you will receive them into the Bank for safe custody and management, returning me your receipt, as usual on similar occasions.

I have the honor to be  
(Signed) H. Bays.

Bursar N. C.

Schedule of Government Debentures placed in the Bank of N. C. for safe custody & management by the Council of N. C. 3 day of Nov. 1848.

<u>N<sup>o</sup></u>	<u>Date.</u>	<u>Amount</u>
429 . . . . .	1 <sup>st</sup> Aug <sup>5</sup> 1848 . . . . .	2 " 10 " 0
740 . . . . .	" " " . . . . .	2 " 10 " 0
766 . . . . .	" " " . . . . .	2 " 10 " 0
1635 . . . . .	" " " . . . . .	2 " 10 " 0
1733 . . . . .	" " " . . . . .	2 " 10 " 0
2731 . . . . .	11 Sept. " . . . . .	2 " 10 " 0
342 . . . . .	1 Aug " . . . . .	5 " 0 " 0
343 . . . . .	" " " . . . . .	5 " 0 " 0
1397 . . . . .	" " " . . . . .	5 " 0 " 0
1452 . . . . .	" " " . . . . .	5 " 0 " 0
1506 . . . . .	" " " . . . . .	5 " 0 " 0
1805 . . . . .	" " " . . . . .	5 " 0 " 0

Carried forward £45 " 0 " 0.



	Brought forward . . . . .	45. 0. 0
1861. . . . .	1 <sup>st</sup> Aug. 1848 . . . . .	5. 0. 0
1868 . . . . .	" " " . . . . .	5. 0. 0
2236 . . . . .	" " " . . . . .	5. 0. 0
2348 . . . . .	15 " " . . . . .	5. 0. 0
		<u>£ 65. 0. 0</u>

(Sig<sup>d</sup>) H. Boys.  
Bursar, H. C.

To  
George Duggan  
Jun<sup>r</sup>, Esq.

H. C. C. Toronto  
6 November 1848.

Sir,

Having been informed that you hold a considerable amount of Government New, Debentures of £5. and £2.10.0 which you are desirous of selling, I request you will inform me at what discount you will part with them and what is the amount.

I have the honor to be  
Sir!

(Signed) H. Boys,  
Bursar, H. C.

From  
Geo. Duggan.  
Jun<sup>r</sup>, Esq.

Toronto Nov<sup>r</sup> 9<sup>th</sup> 1848.

Sir,

I have to state in reply to your Note respecting Government Debentures, that I was acting for a friend who has about £3,000 payable at five years with interest half yearly price 96 per Cent (or 4 per Cent discount.)

He is not at present in Town but on Tuesday next I expect him and will direct him to you, he may have others than those I refer to and perhaps on personal interview may be enabled to avail himself of terms answering both parties.

To  
H. Boys,  
Bursar H. C.

I am Your O<sup>b</sup>d<sup>t</sup> Serv<sup>t</sup>.  
(Signed) G. Duggan, Jr.

From  
 The Rev. P. J. G. Midout Esq.  
 Cashier  
 H. G. Grasett, Esq.  
 &c &c &c

B. W. C.  
 H. C. O. Toronto  
 6 November 1848

Sir,  
 I beg to acknowledge your letter of the  
 3<sup>rd</sup> Inst: enclosing £65. in Government  
 Debentures, as directed which I enter for safe  
 keeping on your account

To/  
 H. Bays, Esq.  
 &c &c

Yours Sir &c  
 Signed H. G. Midout  
 Cashier -

To/  
 The Rev.  
 H. J. Grasett.

H. C. O. Toronto  
 15 Nov: 1848

My dear Sir,

Having heard that you are  
 the holder of a considerable amount of short  
 Debentures of £5. & £2. 10. 0. each and are  
 wishing to dispose of them, I request you  
 will inform me at what discount you will  
 part with them, and the amount you  
 are desirous of selling -

I remain  
 Signed, H. Bays -

From  
 The Rev.  
 H. J. Grasett.

The Rectory  
 Toronto 16 Nov: 1848

My dear Sir,

In reply to your note  
 I beg to inform you that I experience no  
 difficulty in discharging the debts of the  
 public institutions with which I am  
 connected by means of the Debentures  
 supplied to me by the Government at  
 par. I shall not therefore be justified  
 in disposing of them to any person at a  
 discount.

I remain

To/  
 H. Bays Esq.

&c &c  
 (Sgd) H. J. Grasett.



From  
T. G. Ridout Esq.  
Cashier  
B. U. C.

Bank Upper Canada  
Toronto 17 Nov. 1848

Sir.

In compliance with the instructions  
in your letter of the 6<sup>th</sup> instant I have disposed  
of the following Debentures standing in the  
name of the Kings College Council, viz -  
N<sup>o</sup> 269 City of Toronto for - - - - £300.  
N<sup>o</sup> 1416 London District Gaol and £100 of 1600.  
together - £1900

which, with £33. 8. 9 interest to the 6<sup>th</sup>  
instant I have entered to Credit of your  
account, and charge you with £9. 10. 0  
for one half of one per cent commission on  
the transfer.

Yours  
H. Boys Esq.

I am, Sir

Signed / T. G. Ridout  
Cashier -

To

Memorandum

the Priv. Secretary 8<sup>th</sup> Nov<sup>r</sup> sent minutes of the 1<sup>st</sup> 2<sup>nd</sup> 3<sup>rd</sup> & 4<sup>th</sup> November.  
28 D<sup>o</sup> D<sup>o</sup> of the 8<sup>th</sup> 15<sup>th</sup> 16<sup>th</sup> 22<sup>nd</sup> & 25<sup>th</sup> Nov<sup>r</sup>  
30 D<sup>o</sup> D<sup>o</sup> of the 29<sup>th</sup> Nov<sup>r</sup>.  
5 Dec<sup>r</sup> D<sup>o</sup> of the 2 Dec<sup>r</sup>.  
7 " D<sup>o</sup> of the 6 "

To

M. C. O. Toronto 8<sup>th</sup> Dec<sup>r</sup> 1848

T. G. Ridout Esq Sir

I have the Honor to request that you will  
receive into the Bank of Upper Canada for  
safe custody the Government Debentures of  
Short date, sent herewith amounting to six thousand  
and fifty two pounds ten Shillings (£652-10-)  
as detailed in the accompanying list

I have &c

Signed H Boys -

Produce K C

for list see next page

*List of Short Government Debentures belonging to the Council  
of King's College placed this day in the Bank of Upper Canada  
for Safe Custody*

Debentures £2.10.0 each				Debentures £5.0.0 each			
N <sup>o</sup> of Debenture	Date of Debenture	N <sup>o</sup> of Debentures	Amount	N <sup>o</sup> of Debenture	Date of Debenture	N <sup>o</sup> of Debentures	Amount
360	August 1 <sup>st</sup>	1		513	August 1 <sup>st</sup>	1	
411	" "	1		2130	" "	1	
493	" "	1		3731	September 20 <sup>th</sup>	1	
503	" "	1		3675	" "	1	
811	" "	1		4159	" "	1	
821	" "	1		4219	" "	1	
867	" "	1		4258	" "	1	
884	" "	1		4471	" "	1	
962	" "	1		4589	October 4 <sup>th</sup>	1	
2364	" 15 <sup>th</sup>	1		4854	" 10 <sup>th</sup>	1	
3217	September 20 <sup>th</sup>	1		4867	" "	1	
3490	" "	1		4869	" "	1	
3816	" "	1		4889 & 4900	" "	2	
4043	October 4 <sup>th</sup>	1		5068	" "	1	
4622	" 23 <sup>rd</sup>	1		5441	" 23 <sup>rd</sup>	1	
5005 & 5006	November 14 <sup>th</sup>	2		5559	November 4 <sup>th</sup>	1	
5008	" "	1		5665	" "	1	
5074	" "	1		6001 to 6084	" 9 <sup>th</sup>	84	
			<u>19 £ 47. 10. 0</u>	6226	" "	1	
				6230 to 6239	" "	10	
				6270 & 6271	" "	2	
				6290 to 6294	" "	5	
				6300	" "	1	

121 £605. 0. 0

47. 10. 0

£ 652. 10. 0

*King's College, Upper Canada,*

*2<sup>nd</sup> December 1828.*

*(Signed) H. Boyd, Treasurer, &c.*



To

Dear Madam

K. C. O. Toronto 27<sup>th</sup> Nov<sup>r</sup> 1848.

M<sup>rs</sup> Cozens

The College Council having taken into consideration your Memorial of the 26<sup>th</sup> Instant have desired me to inform you that the vote of Council relative to your retirement from the office of Matron has no reference to your conduct in the discharge of your duties, which was uniformly to their satisfaction; and that your removal was caused only by the necessity of making essential changes in the institution. With reference to your proposition of an exchange of certain articles of furniture for improvements you have made in the House - and that you should be paid for the introduction of the gas, they comply with your wishes. They regret however they cannot entertain your application for a loan, but have authorized your receiving £50 in addition to the former vote of £75.

I remain, Dear Madam, &c.

(Signed) R. B. B. B. B.

To

Sir,

K. C. O. Toronto 27<sup>th</sup> Nov<sup>r</sup> 1848

G. Ridout Esq.  
Chief of the B. C. C.

I have to request you will receive, for safe custody in the Bank, the enclosed Government short Debentures belonging to the Council of King's College, amounting to £157,10.0 as detailed in the accompanying list. I have the honor to be Sir, &c.

Copy of the List

List of short Government Debentures lodged in the Bank of Upper Canada by the Council of K. C. on 27<sup>th</sup> Nov<sup>r</sup> 1848.  
For the list see next pages.

Number of the Debenture	Date of the Debenture	No. of Debentures	Amount	Number of the Debenture	Date of the Debenture	No. of Debentures	Amount
of £2.10.0 each.				of £5. each.			
156	1 August	1		1335	1 August	1	
3431 to 3455	20 Sept.	5		2451	"	1	
3457	"	1		3677	20 Sept.	1	
3458	"	1		3680 & 3681	"	2	
4372	10 Oct.	1		3732	"	1	
Carried forward		9		Carried forward		6	

Number of the Note	Date	of \$	Amount	Number of the Note	Date	of \$	Amount
Debit	Credit		Debit	Credit			
Debitures of £2. 10. 0. each.				Debitures of £5. each.			
434	1 <sup>st</sup> August	1		638	1 August	1	
441	" "	1		1319	" "	1	
441	" "	1		1807	" "	1	
660	" "	1		2261	" "	1	
2162	15 "	1		2800	11 Sept <sup>r</sup>	1	
2604	11 Sept <sup>r</sup>	1		3108	20 "	1	
2698	" "	1		3312	" "	1	
3104	20 "	1		3349	" "	1	
3248	" "	1		3727	" "	1	
3424	" "	1		4294	" "	1	
3461	" "	1		4816	10 Oct <sup>r</sup>	1	
3465	" "	1		5262	23 "	1	
3699	" "	1		5299	" "	1	
3992	4 Oct <sup>r</sup>	1		5497	" "	1	
4256	10 "	1		5498	" "	1	
4357	" "	1					
4364	" "	1					
4385	" "	1					
4393	" "	1					
4395	" "	1					
4424	" "	1					
4426	" "	1					
4439	" "	1					
4528	23 "	1					
4603	" "	1					
4633	" "	1					
4501	9 Nov <sup>r</sup>	1					
4501 to 4505	" "	5					
4521	" "	1					
33			82 10 0	15			75 0 0

22 Adventures at £2.10. each — 42. 10. 0

13 20 at £5.0.0 each = 75.0.0

27 157.. 10.. 0

25. 1. 1872, Bremer, H. C.

To Sir R. B. Green to Mr. Lieut. Col. S. G. Tidant, Lt. Col. of the 1st Regt. N. Y. M. I. C. I have the honor to send you herewith a consignment of books, as per accompanying list amounting to £11, and belonging to the Council of King's College; and I have requested you will receive them into the Bank of the Bank of America for safe custody.

James M. Green to L. R.

Aginc, A. Day, Burdett, & Co.

the cap with list removed & page.



Copy of the list accompanying the foregoing letter.

List of Government short Debentures belonging to the Council of King's College, lodged in the Bank of M.C. on the 14<sup>th</sup> Dec<sup>r</sup> 1842.

N. 1

Number of the Debenture	Date of the Debenture	N <sup>o</sup> of Debentures	Amount	Number of the Debenture	Date of the Debenture	N <sup>o</sup> of Debentures	Amount
Debentures of £2..10..0 each.				Debentures of £5. each			
856	1 August	1		1835	1 August	1	
3451 to 3455	20 Sept <sup>r</sup>	5		2151	" "	1	
3457	" "	1		3677	20 Sept <sup>r</sup>	1	
3476	" "	1		3680 & 3681	" "	2	
4322	10 Oct <sup>r</sup>	1		3732	" "	1	
4540	23 "	1		3762	" "	1	
4574	" "	1		3775 & 3776	" "	2	
4580	" "	1		3786	" "	1	
4640	" "	1		3790	" "	1	
5695 & 5696	9 Nov <sup>r</sup>	2		3875	" "	1	
5705	25 "	1		3880	" "	1	
5791	" "	1		3882 to 3885	" "	4	
		17	42 10 0	4318	" "	1	
				4578	4 Oct <sup>r</sup>	1	
				4812	10 "	1	
				4851	" "	1	
				4896	" "	1	
				5072	" "	1	
				5218	23 "	1	
				5424 & 5425	" "	2	
				5607	4 Nov <sup>r</sup>	1	
				5950	" "	1	
				6301	25 "	1	
				6323	" "	1	
				6405	" "	1	
						31	155 0 0

17 Debentures at £2..10..0 each — 42..10..0

31 " " at £5. each — 155..0..0

£ 197..10..0

(signed) H. Boys,  
Treasurer, K.C.

To  
The Rev.  
Walter Stennett. Sir/

Kings College Office, Toronto  
27 December 1848

I am directed to send you (which I do herewith) a Copy of the Resolution of the College Council, whereby the Boarding House of Upper Canada College is placed under your charge, and, with it, a copy of the conditions on which the Principal accepted it; and am to request that you will inform me whether you will undertake the charge on those conditions.

I have the honor to be  
Sir!

Your most obedient servant  
(Signed) H. Boys.

---

Copy of the Resolution of the College Council, whereby the Boarding House of Upper Canada College is placed under the charge of the Rev. Walter Stennett.

---

At a meeting of the Council of Kings College held on the 21<sup>st</sup> December 1848, it was resolved — "that the charge of the Upper Canada College Boarding House be committed to the Rev. Mr. Stennett, 3<sup>rd</sup> Classical Master, on the same terms on which the Principal accepted it, on condition that he assumes the whole responsibility of its supervision and care, — and that the existing rate of charges be continued."

a true copy  
(Signed) H. Boys,  
Bursar, K.C.

---

Copy of the Resolution of the College Council on which the Principal of Upper Canada College accepted the charge of Upper Canada College Boarding House.



At a meeting of the Council  
 of Kings College held on the 2<sup>nd</sup> day of  
 November, 1848; it was resolved - " that the  
 payment of such charges for necessary  
 repairs of the building, arising from wear  
 and tear, as have been borne by the Uni-  
 versity, since the last arrangement rela-  
 tive to the Boarding House, be undertaken  
 during the continuance of the plan now  
 adopted. - And that such goods and  
 chattels as are in the House belonging to  
 the University be lent to the Principal  
 for the use of the Boarders, on condition  
 that he shall pay for their requisite repairs,  
 or for new articles required to replace them.  
 And that all the pecuniary benefits arising  
 from the establishment be enjoyed by the  
 Principal - But that no other expenses  
 or liabilities be incurred by the University  
 than those previously stated in this resolu-  
 tion - And that the plan now adopted  
 continue in force until the expiration  
 of six months notice of a desire to stop it,  
 given by either the Council or the  
 Principal."

a true Copy.

(Signed) H. Boys,  
 Bursar, U.C.

Bank of Upper Canada  
 Toronto 15<sup>th</sup> Decr 1848.

Sir/

From  
 H. G. Ridout accompanied by sundry Government Debentures  
 Cashier as per list amounting to £197<sup>l</sup>. 10<sup>s</sup>. 0<sup>d</sup> bur'g  
 B. U. C. which I have entered for safe keeping on  
 your account.

To/

H. Boys, Esq.  
 Bursar, U.C.

I am, &c

Your O<sup>b</sup>d. Servant  
 Sig<sup>d</sup> H. G. Ridout  
 Cashier.

Kings College Office -  
Toronto 27 December 1848.

List of Government short Debentures  
lodged this day in the Bank of Upper Canada  
for safe Custody by the Council of Kings College.

Number of the Debentures	Date of Debent.	N <sup>o</sup> of Deb <sup>ts</sup>	Amount	Number of the Debenture	Date of Debent.	N <sup>o</sup> of Deb <sup>ts</sup>	Amount
447	1 <sup>st</sup> Aug:	1		606	1 Aug	1	
1371	"	1		1398	" "	1	
1815	15 <sup>th</sup> "	1		1407	" "	1	
3616	20 <sup>th</sup> Sept.	1		2275	" "	1	
4330	10 Oct:	1		2310	15 "	1	
4373	11 "	1		2337	" "	1	
4543	23 "	1		3306	20 "	1	
4585	" "	1		3308	" "	1	
4726	" "	1		3312 @ 4	" "	3	
4730 to 4741	" "	12		3317	" "	1	
4792	" "	1		3672	" "	1	
5002	4 Nov:	1		4238	" "	1	
5016	" "	1		4489	" "	1	
5333	9 "	1		4589	4 Oct	1	
5775	23 "	1		4873	10 "	1	
				4961 @ 2	" "	2	
				4987	" "	1	
				5249	23 "	1	
				5283	" "	1	
				5489	" "	1	
				5517	4 Nov:	1	
				5804	" "	1	
				5913	" "	1	
				6130	9 "	1	
				6139	" "	1	
				6356.	25 "	1	
		26	65.0.0			29	145.0.

26 at £ 2.. 10.. 0 each £ 65.. 0.. 0.  
29 at £ 5.. 0.. 0 each £ 145.. 0.. 0.  
210.. 0.. 0



To/  
 Thos. G. Ridout  
 Cashier  
 B. U. C.

Kings College Office  
 Toronto 27 Dec<sup>r</sup> 1848

Sir/

I request you will receive onto the Bank for safe custody the Government short Debentures sent herewith belonging to the Council of Kings College amounting to £210, as detailed in the accompanying list.

I have the honor to be,

To  
 Thos. G. Ridout, Esq.  
 Cashier, B. U. C.

Sir/  
 Signed, H. Boys,  
 Bursar, K. C.

From  
 T. G. Ridout, Esq.  
 Cashier  
 B. U. C.

Bank of Upper Canada  
 Toronto 28<sup>th</sup> Dec<sup>r</sup> 1848.

Sir,

I beg to acknowledge your favor of the 27<sup>th</sup> accompanying Sundry Government Debentures amounting to £210. which are entered for safe keeping on your account.

I am

To  
 H. Boys, Esq.  
 Bursar, K. C.

Your Obedt. Servant  
 (Signed) Thos. G. Ridout  
 Cashier

From  
 The Rev<sup>d</sup>  
 Walter Hennell  
 W. C. C.

Upper Canada College  
 Toronto 29 Dec<sup>r</sup> 1848.

Sir,

I have to acknowledge the receipt of your letter of 27<sup>th</sup> enclosing copies of Resolutions relative to the Boarding House, passed on November 2<sup>nd</sup> 1848 and December 21. /48; and request that you will communicate to the College Council my acceptance of the charge of the Boarding House on the condition therein specified.

To/

H. Boys, Esq.  
 Bursar, K. C.

I have the honor to be  
 (Signed) Walter Hennell.



From  
 Mrs. Major Powell, Sir,

Toronto 27 Dec<sup>r</sup> 1848

I have the honor to transmit a Memorial to be laid before the College Council, as my case is (to myself) most important, I beg that you will bring it under their notice as soon as possible -  
 I am,

To Sir &c &c  
 H. Boys, Esq: (Signed) Mary<sup>e</sup>. Powell.

Memorial  
 from  
 Mrs. Major Powell.

To the Honourable, The  
 President and Council of the  
 University of King's College.

The Memorial of Margaret  
 Powell, Widow of the late Major Powell  
 of Her Majesty's army.

Most respectfully sheweth,  
 That your Memorialist has received  
 from D<sup>r</sup> Boys, Bursar of the University  
 of King's College, The following Minute  
 "adopted by Your Honourable Board," That  
 "the Bursar be directed to inform M<sup>rs</sup> Powell  
 "that on the 1<sup>st</sup> of May next ensuing, being  
 "the date of the expiration of her current  
 "year, her services as Housekeeper to the  
 "West Wing of the University Buildings will  
 "not be required." From the uniform kind-  
 ness and consideration with which the  
 Council has up to this time treated your  
 Memorialist she is induced to believe that  
 her case was not fully known to the Board  
 (some of the members being of recent appoint-  
 ment) in all its particulars, when this  
 minute was adopted; under this im-  
 pression she begs most respectfully to sub-  
 mit a true statement of her situation, and she  
 hopes that the Council will reconsider their  
 Minute



their Minute, and either cancel the same or Modify it in such a manner as to allow her some remuneration for the continuance of the same services, which she has hitherto rendered - for so long as the University occupies the Government Buildings there must be some person employed to take charge of the West-Wing; and she respectfully submits that no one can have a claim equal to hers, or can keep the Building in better order than she has done by herself and servant, since her appointment to the Office of House Keeper.

Your Memorialist feels the most poignant grief at being ~~at being~~ under the sad necessity of troubling the Council with this application, little did she think in her early days, that such a situation would ever become to her an object of earnest solicitation, but God has seen it fit to afflict her with many sorrows; and now when she thought she was to rest in peace for a few years at least, her afflictions are renewed and she is in danger of being cast upon the world without the means of subsistence.

Her History is indeed melancholy. Her late Husband Major Powell after serving in the army with distinction for upwards of thirty years in consequence of ill health brought on by hard service and reluctantly at the advice of his Medical advisers sold out and retired, settling with his family near Prescott, being totally unacquainted with business he made bad Investments which my late and revered friend Mr. Justice Jones could, (had that excellent man been spared) fully prove; by which almost all the money received



received for his Commission were irremediably lost. Soon after his retirement from the army he died quite suddenly on the 14<sup>th</sup> Feb<sup>y</sup>. 1826- leaving Memorialist and three small children, with little or no provision, for Major Powell having sold out she was not entitled to the Widow's Pension. Finding it impossible to remain at Prescott, Your Memorialist removed to this place Toronto, where she and her late husband, while in command of this Garrison had many friends.

Her situation excited general sympathy, and his Excellency Sir John Colborne (now Lord Seaton) who had known her husband and appreciated his services during the Peninsular campaigns felt a great interest in her affairs and appointed her house keeper to the Executive Council Office; and on conferring upon her that Office, he had the kindness to say that "though the emoluments were small, it was honourable, and might be considered a sort of Provision for life".

On the removal of the seat of Government, Your Memorialist lost her office of House keeper to the Executive Council but in consideration of her faithful services the Government allowed her to remain in charge of the West Wing and granted her a small pension of £35 which if deprived of her present situation is all that she possesses to support herself and son, who is still learning his profession, and is therefore entirely dependent upon her - it is true Your Memorialist owns a small cottage but the trifling rent which she receives would be lost were she from any change

obeyed



obliged to occupy it herself.

That when it was determined, that the University of Kings College should occupy the Gov<sup>t</sup>. Buildings, till their own should be erected; Your Memorialist applied for her present situation, and in her interview with His Excellency the late Sir Charles Bagot she was treated with the greatest kindness and encouragement, His Excellency declaring, in reference to the change of the Seat of Government, that it was not the intention of Her Majesty's Government to permit the injury, much less the ruin of any individual however obscure, by the operation of a measure, enacted for the Public Good, and that he would have great pleasure in appointing her to the situation she desired. To shew the warm Interest which this excellent and lamented Gentleman took in her Welfare, she begs leave to call the attention of the Council to a passage of His Excellency's letter to the Secretary of State, Lord Stanley through whom Your Memorialist's Brother the late Doctor Borthwick, long one of the most distinguished Physicians in Edinburgh, and not perhaps unknown to some of the Board, had applied in her behalf. "My Lord," "you can assure D<sup>r</sup>. Borthwick that the hardships of M<sup>rs</sup>. Powell's case, was not unknown to me, and that I had great satisfaction, a short time ago, in appointing her with I think the same salary, that she before enjoyed, to the care of the same Buildings in their new capacity of the Buildings of Kings College in attendant the erection of the Edifice of which I laid the foundation stone in April last."

(Signed) Chas<sup>r</sup>. Bagot.



That when D<sup>r</sup>. Widmer came to ascertain what accommodation the building would afford the Medical Department, Your Memorialist offered to give up one or even two of the three rooms she occupied reserving only one as a Bed Room - because she had greatly injured her health by sleeping in the damp basement while the Gov<sup>t</sup>. Offices were in the Buildings and from which she is still suffering - but that excellent Gentleman declined to disturb her in the smallest degree and said that his object was to see what accommodation was available, but not to give her the slightest inconvenience.

That from Sir Charles Bagot's letter and what D<sup>r</sup>. Widmer was pleased to declare, Your Memorialist is led to believe, that she was not to be disturbed so long as the University occupied the Buildings; and she felt renewed protection, in finding that the Faculty were to occupy part of this Building; because as the Daughter and sister of ~~a~~ Medical Men not unknown to the world, she has a natural claim to their kindness and protection.

Your Memorialist having thus stated her case in her own simple and humble way, most respectfully entreats the Council to reconsider their Minute, and if they cannot continue her present salary after the 1<sup>st</sup> May next; she will be content with the smallest allowance, for what any one else would perform the like service.

Your Memorialist will also consent to curtail her present accommodation; so far as may be consistent with her health.



health should any part of it be required.

To Your Memorialist in her present desolate state with nothing to fall back upon but her small pension of £35, even a House rent free with fuel are of the greatest importance and she cannot but feel that the Widow of a British Officer of distinction who spent his life in the service of his Country has a claim to consideration and more especially when that consideration can be granted her without detriment to any one. And that she ought not at her advanced age and after having charge of the Building for more than eighteen years to be exposed to the cruel hardships, which the Minute of the College Council if carried out, will most certainly bring upon Your Memorialist.

All which is most respectfully submitted.  
(Signed) Margaret Powell  
Toronto December 27<sup>th</sup> 1848.

The accompanying documents were enclosed to the Council of Kings College.

- 
- A. \_\_\_\_\_ An order in Council dated 21 Dec. 1830.  
B. \_\_\_\_\_ A letter from Chief Justice Robinson 27 " 1830  
C. \_\_\_\_\_ A do " Peter Robinson, Esq. 28 " 1830  
D. \_\_\_\_\_ A do " H. Peys, Esq. 10 May 1842  
E. \_\_\_\_\_ A " " His Excellency Sir Charles  
\_\_\_\_\_ Bayot - &c. - - - - - July 1842

To \_\_\_\_\_ Memorandum 30 December, 1848. sent to the Private  
Private Secretary, Recording the Minutes of Council of the 21<sup>st</sup> December, 1848.



To  
Major Campbell  
Private Secy.  
to His Excellency.

Kings College Office  
Toronto 30 Dec. 1848

Sir,

I have the honor to inform you that your letter of the 27<sup>th</sup> Ult<sup>o</sup>: with its enclosure a memorial to His Excellency by Samuel Lissmith of lot No. 12 in the 5<sup>th</sup> Concession of Richmond in the Midland District, was referred by the Council of Kings College to their Land Committee; whose Report thereon was submitted to the Council at their meeting held on the 21<sup>st</sup> Inst: when it was adopted by the Council; and instructions were given me to send you a copy of it, which I now do, to be submitted for the information of His Excellency the Governor General.

The Members of Council present on the occasion, were -

The President

The Dean

The Proctor

Professor King

Professor Beaumont

The Principal of Upper Canada Col.

I have the honor to be

Sir

(Signed) H. Bayn,  
B. K. C.

To,  
J. G. Ridout Esq.  
B. H. C. C. Sir,

M. C. C. Toronto  
3<sup>rd</sup> January 1849.

Sent Short Debentures with  
letter in the usual form

30 Debentures @ \$20.00 each

64 " " " \$5.00 each

\$970.00

320.00

\$417.00



*N. C. W. Toronto*

*3<sup>d</sup> January 1849.*

*List of Government short Debentures lodged  
this day in the Bank of Upper Canada for  
safe Custody by the Council of Kings College.*

<i>N<sup>o</sup> of the Debt<sup>res</sup></i>	<i>Date of Debt<sup>res</sup></i>	<i>N<sup>o</sup> of Debt<sup>res</sup></i>	<i>Am<sup>t</sup></i>	<i>N<sup>o</sup> of the Debt<sup>res</sup></i>	<i>Date of Debt<sup>res</sup></i>	<i>N<sup>o</sup> of Debt<sup>res</sup></i>	<i>Am<sup>t</sup></i>
852	1 <sup>st</sup> Aug:	1	✓	2597	9 Sept:	1	
1200	"	1	✓	2689	"	1	
2152	15 "	1	✓	2891	11 "	1	
2654	11 Sept.	1		2987	"	1	
298677	"	2		3135	20 "	1	
3453	20 "	1		3327	"	1	
3471	"	1		3633	"	1	
3483	"	1		3789	"	1	
3494	"	1		3992	"	1	
3545	"	1		4201	"	1	
3667	"	1		4206	"	1	
3845	"	1		4241	"	1	
3879	"	1		4317	"	1	
3934	4 Oct:	1		4320	"	1	
3999	"	1		4331	"	1	
4304	"	1		4339	"	1	
4388	"	1		4440	"	1	
4530	23 "	1		4579	4 Oct.	1	
4552	"	1		4833	10 "	1	
4568-7	"	2		4846	"	1	
4571	"	1		4870	"	1	
4578, A	"	1		4892	"	1	
4578, D	"	1		5208	23 "	1	
4687	"	1		5308	4 Nov.	1	
4613	"	1		5536	"	1	
5019	4 Nov:	1		5565	"	1	
5048	"	1		5586	"	1	
5076	"	1		5631	"	1	
5080	"	1		5633+6	"	2	
5467	9 "	1		5837	"	1	
5479	"	1		5840	"	1	
5512	"	1		5907	"	1	
5524	"	1		6128	9 "	1	
559041	"	2		6132+3	"	2	
5598	"	1		6135	"	1	
5698	"	1		6142	"	1	
			97 <sup>10.0</sup>	6227	"	1	
				6311	25 "	1	
				6332	"	1	
				6335	"	1	
				6487/8519	"	3	
				6521	3 Dec.	1	
				6544 to 6546	"	3	
				6593 to 6600	"	8	
				6649 to 6650	"	2	
				6670	"	1	
				6731 to 6754	"	4	320.0.0.
		39	97 <sup>10.0</sup>			64	320.0.0.

39, Debentures at £2.10.0 each £97.10.0

64 do. at £5.0.0 each 320.0.0

£417.10.0

*Signed: H. Boys,*

*Procurator, H.C.*

To  
J. G. Ridout, Esq.  
Bank of W. C.

Bank of Upper Canada  
Toronto 6<sup>th</sup> Jan'y: 1849.

I have to acknowledge your favor  
of the 3<sup>rd</sup> inst: with sundry Government  
Debentures amounting to £417.10.0 which  
I send for safe keeping on your account.

To  
J. G. Ridout -

Signed: J. G. Ridout  
Cashier -

W. C. U. Toronto  
9<sup>th</sup> January 1849.

N <sup>o</sup> of the Debt.	Date of Debt.	N <sup>o</sup> of Pab.	Amount	N <sup>o</sup> of the Debt.	Date of Debt.	N <sup>o</sup> of Pab.	Amount
607	1 Aug <sup>st</sup>	1		36 to 38	17 July	3	
659	" "	1		43 to 99	" "	57	
780	" "	1		451 to 470	" "	20	
3525	20 Sept.	1		479 to 488	" "	10	
4976	4 Nov.	1		491 to 500	" "	10	
5078	" "	1		5579	4 Nov.	1	
5700	" "	1		5613	4 "	1	
5335	9 "	1					
6223	12 Dec.	1	22.10.0				
		9	22.10.0				
						102	510.0.0

9 Debentures at £2. 10. 0 each £22. 10. 0  
102 ditto at £3. 0. 0 do £310. 0. 0  
£532. 10. 0

Signed: H. W. W. -  
W. C. U. Toronto  
9<sup>th</sup> January 1849.

To  
J. G. Ridout, Esq.  
Cashier  
W. C. U.

Sent a list of Short Debentures  
with letters in the usual form.

To  
J. G. Ridout, Esq.  
Cashier  
W. C. U.

Signed: H. W. W.  
Brisar, W. C.



From  
J. G. Ridout, Esq.  
B. U. C.

Bank of Upper Canada.  
Toronto 10 Jan'y: 1849.

Sir

I duly received your favor of the 4<sup>th</sup> inst. enclosing sundry Provincial Debentures amounting to £532.10.0 which I enter for safe keeping on your account.

I am, Sir

Yr  
H. B. Esq.  
Bursar, B. U. C.

Your Obedt. Servant -  
Signed / Thos. G. Ridout  
Cashier

To Memorandum, 29<sup>th</sup> January, 1849. Sent to the Private Secretary, the Minutes of Council of the 17<sup>th</sup> & 20<sup>th</sup> Instant.

Report of the  
President

read in Council  
Jan'y: 1849.

The President feels it to be his duty to press upon the attention of the Council the necessity of making arrangements with as little delay as possible for the purpose of facilitating the dispatch of business in the Bursar's Office.

Since his last Report on this subject in Feb'y: 1848, there has been a considerable addition to the arrears of business, and it is now absolutely necessary for the interests alike of the Public and of the Institution, that measures should be immediately taken to secure prompt attention to the communications addressed to the Bursar, and which he cannot reply without reference to the Council or one of its Committees. Of the necessity for change, it is necessary to adduce further proof than that derived from a perusal of the Minutes of the Council and of the Land & Finance Committees. From an examination of these it appears, that from October 1<sup>st</sup> 1847, when these Committees were organized, while



until the end of 1848, at more than  $\frac{3}{4}$  of the meetings of the Council, there was not a quorum for the transaction of business, at about  $\frac{3}{4}$  of the meetings of the Land Committee there were not 3 members present and at about  $\frac{1}{2}$  there was not one, whilst no meeting of the Finance Committee has ever been attended by two of its members at the same time. The result has been that important business has been neglected, serious inconvenience and injury has been sustained by applicants and the Institution has materially suffered in public estimation.

The President therefore most strongly recommends to the Council the propriety of immediately adopting measures whereby whilst the trust, committed to their charge is carefully superintended, all who have business with the establishment, shall receive prompt attention and early replies to their communications.

Kings College  
January 17<sup>th</sup> 1849.

To/  
J. G. McDougall Esq.  
Cashier,  
B. M. C.

Kings College Office,  
Toronto 7<sup>th</sup> February 1849.

Sir,

I request you will receive into the Bank for safe Custody the Government Short Debentures sent herewith belonging to the Council of Kings College amounting to £107, 10, 0, as detailed in the accompanying list.

Signed, H. Boys,

Bursar K.C.

Toronto 7<sup>th</sup> February 1849.

List of Government Short Debentures lodged this day in the Bank of Upper Canada for safe Custody by the Council of Kings College.

Continued -



N <sup>o</sup> . of the Debt <sup>res</sup>	Date of Debt <sup>res</sup>	N <sup>o</sup> . of Deb.	Am <sup>t</sup> .	N <sup>o</sup> . of the Debt <sup>res</sup>	Date of Debt <sup>res</sup>	N <sup>o</sup> . of Deb.	Am <sup>t</sup> .
29	1 Aug <sup>th</sup>	1		1210	1 <sup>st</sup> Aug.	1	
442	" "	1		1590	" "	1	
892	" "	1		2314	15 "	1	
1718	" "	1		2327	" "	1	
2030	15 "	1		2335 & 2336	" "	2	
2067	" "	1		3663	20 "	1	
2980	11 Sept.	1		4591	4 Oct.	1	
4564	23 Oct.	1		5201	23 "	1	
4973	4 Nov.	1		5364	4 Nov.	1	
5058 & 5059	" "	2		5599	" "	1	
5098	" "	1		6340	25 "	1	
5882	25 "	1		6364	" "	1	
6247	12 Dec.	1		6682	5 Dec.	1	
6262	" "	1					
		15	37.10.0			14	70.0.0

15 Debentures @ £2. 10. 0 each £37. 10. 0.  
 14 do " £5. 0. 0 each £70. 0. 0  
£107. 10. 0

Signed, H. Wray, Bursar, N. C.

From,  
 G. Ridout, Esq.  
 Cashier  
 B. W. C.

Bank of Upper Canada  
 Toronto 7<sup>th</sup> February 1849.

Sir,

I duly received your letter of this date covering Government Debentures to the amount of £107. 10. 0 which I enclose for safe keeping on your account.

I am Sir,

Your obt<sup>l</sup> Servant.  
 (Signed) Thos G. Ridout  
 Cashier.



C. M. B. V. II. p. 10  
 Statement of the Case referred by the  
 Hebdomadal Board <sup>to</sup> the Council  
 February 17<sup>th</sup> 1849.

On January 29<sup>th</sup> the President received a report from M<sup>r</sup>. Elliott, Lieut<sup>t</sup> and Adj<sup>t</sup> Rifle Brigade by deseri of Lt. Col. Egerton stating that "three gentlemen  
 "of the University (M<sup>r</sup>. H. Draper, M<sup>r</sup>. Lyons  
 "and M<sup>r</sup>. Hyndman) had that afternoon  
 "abaulted a Private of the Rifle Brigade  
 "near to the Garrison Wood Yard - that they  
 "had then proceeded to the New Fort, entered  
 "the Canton and shortly afterwards returned  
 "into the Barrack Square in a state of in-  
 "toxication - and that one of the above mentioned  
 "gentlemen had also exposed his person in  
 "a most indecent manner before leaving  
 "the Barracks in the presence of an Officer  
 "and many of the Soldiers."

The President replied to this communication on the following ~~morning~~  
 morning, and acquainted M<sup>r</sup>. Elliott,  
 that an investigation of the charges  
 would take place at 2 O'clock on that day  
 at which time he was desirous that  
 witnesses should be present, who could  
 prove the allegations and identify the  
 individuals.

The members of the Board also were notified of the subject, which was to be brought under their consideration.

At a meeting of the Board held on that day, Present. - The President, The Proctor, Professors Gwynne and King. The letter to the President was read, and three non-commissioned officers, sent by Col. Egerton were examined. Messrs Draper, & Hyndman also appeared, conformably  
 to a



to a notification sent to them by the President and were examined, a note from Mr Lyons was read, stating that he was prevented by indisposition from appearing, and the Board with a view to having his statement and that of the private, said to have been assaulted, adjourned to Thursday Feb'y 1<sup>st</sup>.

On that day, Present - The President the Proctor and Professor Gwynne - Mr Lyons and the private were examined, and the meeting adjourned to the next day, to receive the draft of a letter to Mr Elliott, which was to be prepared by the President.

The draft was prepared and sent to the Proctor, that as the President was disappointed in his expectation of attending the meeting, no action could be taken by the Proctor and Professor Gwynne, the two members present at the appointed hour. A special meeting was then called and notices sent

Monday -

for ~~Monday~~ <sup>Monday</sup> 5<sup>th</sup> at 10 o'clock, as the President had ascertained from the Proctor, that that time would be most convenient for him and Professor Gwynne.

At that meeting. Present, the President, the Proctor and Professor King, the draft of the letter was submitted, and approved after some alterations.

The following is a copy of the document, as finally approved.

Sir,

I have the honor to acquaint you, that the charges, contained in your letter of the 29<sup>th</sup> Ult<sup>o</sup>. have been investigated by the Board, charged with the discipline of the University, and that it appears from the evidence, that there is unhappily no reason to doubt, that the conduct of the three occasional Students named in your com-



communication, was highly unbecoming and improper. They have ascertained, that the assault complained of was committed, but in dealing with this charge they have felt much embarrassed in consequence not merely of the conflicting statements of the Witnesses, but also of the reference of the complaint by the Military Authorities to a civil court. The fact that one of the Students was intoxicated has been clearly established, but there has been no evidence before them to warrant the charge as to indecent exposure of the person in the Barrack Square, &c.

The Board, whilst they extremely regret, that the behaviour of any of these attending Students in the University should have been so reprehensible, trust that the measures which they propose adopting, will effectually prevent such misconduct for the future.

As the following day (Tuesday) was the regular day of Meeting, the consideration of the particular measures to be adopted, was deferred until that day at the usual hour.

On Tuesday February 6<sup>th</sup> Present - the President, the Proctor and Professor King, the subject was taken up, and the following subjects were presented to the Board, viz. that it appeared in evidence, that the three occasional Students, against whom the charges had been preferred, had been drinking in the Tavern, called the Rescue, previously to proceeding to the Fort, that they had put on Academics, although not entitled to wear them - and whilst in the University costume had been drinking in the canteen with the private soldiers of



of the Rifle Brigade - that from the discrepancy in the evidence as to the time when the assault was committed, there are grounds for suspicion that they were all intoxicated - that the intoxication of one of the three was clearly established and no reasonable doubt of the intoxication of another - that reports had reached the ears of the members of the Board prejudicial to the reputation of one of the Students in this respect - and that it was of the greatest moment, that the authorities of the University should mark their disapproval of such conduct.

The result was, that the Board directed, that Messrs Lyons and Draper should be publicly reprimanded and not permitted to attend the University during the remainder of the present Session - that Mr. Hyndman should be publicly reprimanded and that the reprimand should be before the Faculty of Medicine and the Students. On the day on which this decision was to be carried into effect, as the members of the Board were collected, previously to entering the Hall, an objection was raised by one of the Members of that body Professor Groynne that the sentence was illegal, inasmuch as the Board had not power to suspend without the assent of the Council, and occasional Students were not subject to any discipline in Arts, except as to orderly conduct. It was then decided that as there was a doubt, it would be better to carry into effect only that part of the sentence, which directed the public reprimand. This was accordingly done by the President in the presence of the Proctor, Professors King, Beaumont and O'Brien, almost all the Matriculated Students



Students in Medicine, one of the occasional Students in that Faculty, and many of the Undergraduates in Arts. Mr. Lyons, Mr. Draper, Mr. Hyndman, however, did not attend.

A Medical certificate was sent by Mr. Hyndman, in explanation of his absence, and Mr. Draper, having been summoned

To  
the Private  
Secretary—  
Montreal.

Government House  
Montreal 16<sup>th</sup> Feb<sup>y</sup>. 1849.

Sir,

I am commanded by the Chancellor to request you to lay before the President and Council of King's College the accompanying copy of an address of the Legislative Assembly praying for papers relative to the Commission which has been appointed to investigate the affairs of the University, and that you will at the same time intimate that it is His Excellency's desire to be furnished with the papers enumerated in this address for the purpose of their being presented to the House; to which His Excellency believes there will be no objection on the part of the President and Council of King's College.

H. Chapin Esq. J. E. Campbell, Major



Legislative Assembly  
Tuesday 13 Feb<sup>y</sup>. 1849

"A Copy of the Ordinance of the  
"Council of King's College, appointing  
"commissioners to enquire into the affairs  
"of the said College, and of the instructions  
"given to the said commissioners, as well  
"as of all other documents having reference  
"thereto"

To Memorandum, 27<sup>th</sup> February, 1848. Sent to the Private  
the Private Secretary Secretary the Minutes of Council of the 24<sup>th</sup> Feb<sup>y</sup> 1849.

To Memorandum, 2<sup>nd</sup> March, 1848. Sent to the Private  
the Private Secretary Secretary the Minutes of Council of the 28<sup>th</sup> Feb<sup>y</sup> 1849.

To Sir, H. C. O. Toronto, 3<sup>d</sup> March, 1849.  
the Private Secretary  
I have the honor to acknowledge the receipt  
of your letter of the 16<sup>th</sup> M<sup>o</sup> calling for "a copy of the  
"Ordinance of the Council of King's College appointing  
"Commissioners to inquire into the affairs of the said  
"College, and of the instructions given to the said Commissioners  
"as well as of all the documents having reference thereto"  
— and in reply am directed to send you the enclosed  
copy of the Statute alluded to; and am also directed to  
acquaint you for the information of the Chancellor that  
no separate instructions were given to the Commissioners,  
and that there are no other documents having reference  
thereto, unless the Minutes of the proceedings of the Council  
on the subject should be regarded as such.

I have the honor to be, Sir,

(signed) H. Boy, Secy, H. C.

From Sir, Secretary's Office, Montreal, 5<sup>th</sup> Feb<sup>y</sup> 1849.  
A. Leslie, Esq<sup>r</sup>,  
Provincial Sec<sup>y</sup>.  
I am commanded by the Governor General to  
request that you will furnish me at your earliest  
convenience for His Excellency's information with the  
particulars of the expenditure of the Endowment in aid  
of the University of King's College, the names of the Professors  
reading in Council  
5<sup>th</sup> Feb<sup>y</sup> 1849.  
M. R. L. T. J.

who are employed, the number of pupils attending the college and the course of instruction pursued, and also the religious body (if any) with which the Institution is connected.

This Return is to embrace the period from the 1<sup>st</sup> January 1845 to the 31<sup>st</sup> December last, and is to specify the expenditure in each year.

I have the honor to be, &c. signed J. Leslie, Sec.  
To the Vice President, King's College, &c. &c. &c.

To the Hon<sup>ble</sup> Sir  
James Leslie Esq.

King's College Office, Toronto, 7 March 1849.

I have the honor to enclose herewith certain Provincial Secretary Returns prepared conformably to the request communicated in your letter of the 5<sup>th</sup> Ult<sup>o</sup>.

As the object of the Council is to afford the fullest information, I have at their direction, given both the Receipts & Expenditure of the establishment for the periods named.

I have confined myself to King's College as I understand that the Returns for Upper Canada College have been called for from the Principal of that Institution.

The Return of "the course of instruction pursued" <sup>marked D.</sup> is not quite ready. It shall be sent to you separately in a few days.

I have the honor to be, &c.

(signed) H. Boys, Treasurer, U. C.

From,  
J. G. Ridout, Esq. Sir,  
Cashier.  
B. U. C.

Bank of Upper Canada  
Toronto 10<sup>th</sup> March 1849.

I beg to inform you that I am advised from Montreal of a Warrant having been paid in your favor for £533. 11. 1 currency of which £555 has been issued in Debentures which await your instructions respecting them - the 11/1 is at your credit.

Signed J. G. Ridout  
H. Boys Esq. Cashier.

Returns sent marked A. 1. 2. 3. 4.  
B. 1. 2. 3. 4.  
C. 1. 2. 3. 4.  
D. not sent  
E.



To  
J. G. McDougall, Esq.  
Cashier,  
B. W. C.

King's College Office, Toronto.  
12<sup>th</sup> March 1849.

Dear Sir,

In reply to your letter of the 10<sup>th</sup> instant informing me of the payment in Montreal of a Warrant in my favor of £535. 11. 1, of which the sum of £535 is in Debentures. I beg to request that you will keep the amount in Debentures in Deposit in the usual manner, sending me your acknowledgement that such a sum is in your custody to serve as a voucher to my accounts. The small sum of 11/1, please to receive as cash to our credit.

I am &c &c  
Signed,

From  
Sam<sup>l</sup> Phillips

Dear Sir,

Toronto 20 March, 1849.

In consequence of the death of my beloved father which took place in January last, my mother & two sisters are left with very slender means for the future, and I beg very respectfully to ask of you to recommend to the Council that a yearly pension may be granted to them; and, should that not be allowed, that the half year's salary which would have been due in July next may be paid to them. My late father's public services are well known, & I feel assured that the claim of his widow & orphan children will meet with due consideration. I am, Dear Sir, &c  
D<sup>ty</sup> Secy, Bursar, King's Coll. (Signed) Sam<sup>l</sup> Phillips.

To  
The Private  
Secretary

Memorandum, 26<sup>th</sup> March, 1849. Sent to the Private Secretary the Minutes of the proceedings of the Council of the 23<sup>d</sup> March 1849.

Report of the  
Committee on

Providence of Students Consider the action of the 2<sup>nd</sup> & 3<sup>d</sup> Minutes of Council of October 28<sup>th</sup> 1848, beg to report.



Continuation of report as follows :

Report of Committee

on residence of Students of the New Building by the President in new Buildings. Professor and Students arose from the fact, that it was expressly built for the occupation of Students, and had been for some time an expense to the University, without furnishing any advantage whatever.

It appears that the Rev. Dr. Beaven being aware as a member of the Council that such was the case, offered to the Vice President and subsequently to the President to reside in the Building, and take charge of any students in residence, upon condition of receiving such remuneration as would not reduce his means below those he at that time possessed: that at the period referred to young ladies were received into the family of Dr. Beaven to educate with his daughters upon the plan of a private family; from which arrangement arose a certain income; and he stated that he could not undertake the office, unless he could obtain such remuneration as would compensate for the abandonment of that source of income: - that the President and Vice President did not feel justified in recommending to the Council a salary or allowance such as Dr. B. desired, and that it was subsequently agreed that in addition to such salary as they could recommend, he was to be allowed to have the assistance of such servants as could be spared without adding to the present expenditure, and board the Students at his own cost, and



and receive certain fixed payments for them, to be agreed upon between himself & the President and Vice President.

It was likewise a part of the plan that all matriculated Students should be required to reside in the new Building, excepting such as had parents or guardians in Town.

The negotiation was conducted between D<sup>r</sup> Beaven on the one hand and the Vice President principally on the other, - the plan being likewise submitted to the President, - who stated to D<sup>r</sup> B. that whatever might be the result, he was to be secured from personal loss.

Another stipulation was likewise made by D<sup>r</sup> B. with the Vice President, viz, - that, as the plan was an experiment which might not succeed, he was not to be required immediately to break up the private establishment already alluded to, but carry it on until such time as he felt assured the experiment would be successful.

The subject was accordingly brought before the Council on the 7<sup>th</sup> of June 1845, when the Council resolved that it was highly expedient that the Building should not remain unoccupied, and that the necessary arrangements should be <sup>made to</sup> enable the Students to enter on residence in the beginning of next term: - that the Dean be requested to furnish a Report detailing such alterations and additions as might appear necessary in connexion with the Building, and that the Architect should prepare plans and estimates: - that the Vice President and Dean should take care that the alterations or additions be properly executed, and report to the Council relative to the regulations according to which the establishment



Establishment should be conducted.

On the 18<sup>th</sup> day of June the Dean accordingly made a report of the alterations and additions required, and on the 12<sup>th</sup> of July, the Council ordered that they should be carried into execution, on the same occasion the Council ordered that the remuneration of the Resident Professor should be £50 Provincial Sterling for the first year, and fuel for the apartments occupied by him: the President intimated as the Committee are informed that the allowance might be increased if the establishment proved successful. There was also a verbal understanding with the members of the Council that the annual expenses of the Institution should not be augmented by the change of plan.

The Long Vacation succeeded immediately upon this, during which the alterations were carried into effect and Dr. Beaven removed with his family and the Young Ladies to the part of the building assigned to him.

It then became necessary to arrange the details for the management of the establishment, — which was done by removing the servants formerly employed in providing for and attending upon the students, whilst they dined in the Public Hall. As this involved no additional expense, it appears that the Vice President & Dean conceived that the arrangements had been committed to them, and they did not think it necessary to call a special meeting of the Council to bring forward the details. The charges to be paid by the Students to the University for rent of rooms, for use of furniture, for fuel and



and light, and to Dr Beaven for comment, were also of necessity fixed some time before the beginning of Term, but they were not formally submitted to the Council, partly from the circumstance that they were not at first fully agreed upon by the Vice-President & Dr Beaven, and were intended to be changed, if necessary, from time to time as circumstances might require; - partly because it was Vacation when they were settled, - and partly because they conceived that the details were not thought important by other members of Council, so long as the expenses in ~~Council~~ incurred thereby did not exceed those previously incurred in the same or a corresponding department.

On the 2<sup>nd</sup> of October the Dean submitted the regulations, under which it was proposed to bring the Students, in reference to this establishment; one of which was that every matriculated student should reside there, who did not reside with his parents or guardians: and the Council authorized the employment of an additional man servant to wait upon the Students, one of the female servants having been previously discontinued. This act may have been taken as a tacit sanction of the changes made in regard to the other servants, altho' the subject was not formally brought forward. There is likewise a subsequent vote of Council, by which the wages of the principal man servant were raised from £40. to £52. 10. 0. But does not appear that there was ever any formal report on the subject of the details of management, or that the Council was ever made fully acquainted with them; although portions of them were cited in discussion from



from time to time at meetings of the Council.

The Committee cannot refrain from expressing their regret that the whole details had not at some time been fully submitted to the Council, and entered on the Minutes, because much misunderstanding would thereby have been avoided.

It is, however, due to all parties to observe that arrangements on other subjects have from time to time been made verbally and without entry on the minutes, and that the Council, in previous and subsequent instances has not been manifestly acquainted with the details of plans which were conceived to be for the advantage of the University or of some department thereof, and which were left to individuals or committees to carry out.

The Committee does not, however, in advocating to these circumstances, intend to express their approbation of them: on the contrary, the experience of their results convinces them that it is much to be desired that some permanent record should be kept of every act of the Council, and that the details of all intended measures should, wherever it is practicable, be submitted to the Council previously to their being carried into effect.

On the 27<sup>th</sup> of February, 1846, objections having been publicly made to that part of the arrangement which referred to the temporary continuance of the ladies in Dr. B.'s family, it was resolved at a meeting of the Council that it could not continue any longer but no compensation was made to him for the change, nor does any record



record of the proceeding appears in the Minutes of the Council.

It appears likewise that it was not thought prudent by those in authority to enforce the regulation of the Council that all matriculated Students (with certain exceptions) should reside in the New Building. The consequences of this non-enforcement have been that Students reside in Town, who, according to that regulation ought to have resided in the Building; — that the College has received a smaller return in the rent of Rooms than it would otherwise have enjoyed; that D<sup>r</sup> B. has not received that return for his expense in boarding the Students, which he was led to expect; and that it has been found necessary, in order to secure the residence of Students, to reduce the charges originally settled between the Vice President and D<sup>r</sup> B., thus producing a further diminution of that return, upon the expectation of which he undertook the charge of the establishment, and likewise preventing him from doing that which he always contemplated, viz: to take upon himself gradually the wages of the servants, and relieve the University from that item of expense. The result indeed to him has been, that he considered himself, up to the end of the last academical year, to have sustained a diminution of his original resources to the amount of between £250 & £300.

The Committee have to remark upon these statements, that they conceive that, in consequence of the informality of the original arrangement entered into by D<sup>r</sup> B. he has not a legal claim, upon the



Council for compensation; but considering that the negotiation was entered into with the highest authorities in the College, and that the unfavorable position in which he finds himself in part owing to the non-fulfillment of the original regulation of the Council, they think as far as he is concerned, the case requires favorable consideration.

With regard to the Report furnished by D<sup>r</sup> B. of the date of Sept. 30<sup>th</sup> 1848, upon which the Minutes of Council of October 28<sup>th</sup> are given, they are of opinion that he has rendered it less favorable to the system of which he had the management than he might justly have made it: inasmuch as —

1. — Whether the Students reside in the Building or not, it is necessary that it should be kept aired which cannot be done effectually without a considerable expense in fuel, and the attendance of a person to manage the fire &c.; for indeed the expenditure for this purpose in the Year 1845, under the direct sanction of the Council, amounted to £65. 0. 0 —

2. — D<sup>r</sup> B. has included in his account the stock of wood laid in for a portion of the present year, which he undestimates was equivalent to half the amount likely to be consumed in this year.

This would diminish the whole gross amount to the extent of £45, at the least.

3. — He has likewise included a charge for opening and repairing the drains, & another for repairing the roof, — the necessity for which charges did not arise from



from the occupation of the building by the Students, but from the original faulty construction of the drains & roof; also other charges for painting &c, which are not likely to recur frequently, amounting to upwards of £ 20.

Altogether the omission of these charges will reduce the proper annual charges to the smaller amount of £ 232 —

4. — That in whatever manner the residence of Students may be provided for, there must be certain charges, either permanent or recurring from time to time, which (according to any system which appears at present practicable) would have to be borne by the Council; that such charges form a considerable portion of the items as inserted by D<sup>r</sup> B. in his statement; and although they may at first sight seem to have been caused by the present system of management, they are in fact inseparable from any practicable system, and cannot be contemplated as proper to be borne by an individual.

The Committee are moreover of opinion that the following circumstances are worthy of the consideration of the Council:

1. — That the Building was specially erected for the residence of Students, and is unfit for any other purpose, without a considerable outlay.

2. — That such residence of Students is believed by a Majority of the members of the Committee to be highly advantageous to them; —

— as tending to promote habits of study; it being found that those who reside together in common furnish a stimulus to each other, which is in daily operation — that



and that <sup>they</sup> render to each other aid in their studies; - and consequently that they are able to make more rapid progress than those who study in families, - where there are found to be constant interruptions, - or in private boarding houses, where for the most part they are liable to be hindered by those who occupy the same sitting room. - is tending to promote a manly and honorable tone of mind, by the mutual check exercised on each other, as well as a spirit of order and decorum and courtesy, by the daily presence of a superior at their principal meal, & consequent social intercourse under his eye; - This tendency is found to increase with the continuance of residence & the increase of numbers. - As forming a substitute in some degree for parental controul & supervision for those who are necessarily absent from the roof of their parents at a critical period of their lives: - and that in their opinion one of the strongest proofs of the benefit of such residence is found in the fact, - that although greater liberty might be enjoyed in private boarding houses, the students actually in residence are known to prefer so to continue, notwithstanding the restrictions under which they are placed, - and to be anxious not to be deprived of the advantages they experience from this residence in common.

3. - That it would be scarcely consistent with justice to close the building from residence in the middle of a year, and after all parties, and the students in particular, had entered upon arrangements,



arrangements in contemplation of the continuance of residence in common.

4 - That the University Scholars are entitled by resolution of Council to Board and Residence, which can be given to them more conveniently & consistently in the Building erected for the purpose, and under the supervision of a superior, than in any other place or manner.

5 - That Dr. Beaven is entitled to a house, as part of his allowance as Professor of Divinity; - that no person can maintain an establishment in the University Building at the same expense as in an ordinary house, on account of its extent, its subdivisions into smaller apartments, and the dampness and darkness of the basement, - which circumstances involve greater expense, in fuel and light; that residence in a building not constructed for the use of a family, and in the same building with the Students occasions many inconveniences peculiar to that position; and that it is necessary to have men exclusively to wait upon the Students, and men who can be trusted, - which cannot be attained without greater expense than if the work could be done by females.

6 - That the system pursued at the new Building is at least a diminution of the expense previously incurred every year for a similar, but more limited end; and that the diminution in the two years which have been compared is to the amount of £132, being £20. more than the amount ~~was~~ stated by Dr. B. in the Appendix to his Report.

The Committee do not, however, state



state this under the idea that a diminution of a former annual expense will justify the continuance of a considerable outlay for the same or a similar object.

For the reasons above stated the Committee beg to recommend that the residence of Students in the new Building be continued upon the plan hitherto pursued until the end of the month of July next, with the understanding that the same strict attention which has been given to the reduction of expense since the commencement of the present year, be continued; much greater regard being paid to economy than in the previous years.

To the Hon<sup>ble</sup> Sir, H. C. O. Toronto 3<sup>d</sup> April 1849.  
James Leslie, Esq. Provincial Secretary  
In reference to my <sup>letter</sup> to you of the 7<sup>th</sup> ultimo I have now the honor to send you, enclosed, the Return  
marked D.

I have the honor to be Sir,

H. S. G. B. Burrar, C. C.

To Memorandum, 4<sup>th</sup> April, 1849. sent to the Private Secretary  
The Private Secretary the Minutes of Council of the 31<sup>st</sup> March, 1849.

To Memorandum, 11<sup>th</sup> April, 1849. Sent to the Private Secretary  
The Private Secretary the Minutes of Council of the 10<sup>th</sup> April, 1849.

To Memorandum, 14<sup>th</sup> April, 1849. Sent to the Private Secretary  
The Private Secretary the Minutes of Council of the 13<sup>th</sup> April, 1849.

To H. C. O. Toronto. 18 April 1849.  
J. G. Ridout, Esq. Sir,  
B. U. C.

I have the honor to send you herewith Government Debentures, as per accompanying list amounting to £180. and belonging to the Council of King's College; and have to



request you will receive them into the Bank  
of Upper Canada for safe custody:-  
(Signed) H. Boys  
Bursar, U. C.

List of Government short Debentures  
belonging to the Council of Kings College  
lodged in the Bank of U. Canada on the  
18<sup>th</sup> day of April - 1849.

Debentures of £2.10. each				Debentures of £5. each			
N <sup>o</sup> . Debent.	Date of Debent.	N <sup>o</sup> .	Am <sup>t</sup> .	N <sup>o</sup> . Debent.	Date of Debent.	N <sup>o</sup> .	Am <sup>t</sup> .
4712+13	<sup>1848.</sup> 23 Oct.	2		1857	<sup>1848.</sup> 1 Aug <sup>th</sup>	1	
4723+4729	" "	7		2336	15 "	1	
6009	2 Dec <sup>r</sup> .	1		4355	20 Sept.	1	
6073	" "	1		4377	" "	1	
6138	" "	1		4380	" "	1	
6178	" "	1		4497	" "	1	
6259	12 "	1		4972	10 Oct.	1	
6284	" "	1		5295	23 "	1	
6388	" 1849.	1		5350	4 Nov.	1	
6884	22 Jan <sup>y</sup> .	1		6094	9 "	1	
6920+6921	" "	2		6113	" "	1	
7041	" "	1		6141+6142	" "	2	
7205	10 Feb.	1		6163.6168	" "	6	
7244	" "	1		6611	5 Dec <sup>r</sup> .	1	
7266	" "	1		6619	12 "	1	
7939.	7 <sup>th</sup> Mar.	1		6860	" "	1	
			24 £60.	8087	22 Jan <sup>y</sup> 1849	1	
				7830	" " "	1	
							24 £120.

24 Debentures @ £2.10. each £ 60.0.0  
24 Ditto " £5.0.0 each £ 120.0.0  
£ 180.0.0.

From  
G. Ridout, Esq.  
Sir,

B. U. C. Toronto 18 April 1849.

I duly rec<sup>d</sup>. yr. favor of this date enclosing for safe  
keeping sundry small Debent<sup>ures</sup> am<sup>t</sup>g<sup>s</sup>. to £180.6s.6d.  
Y<sup>rs</sup> H<sup>ble</sup>. Boys  
Signed, G. G. Ridout  
Cashier



Sect. IV. Prof. Gwynne.

Prof. Croft.

That Sect. IV. stand as it is.

carried. President dissenting.

Sect. V. Prof. Gwynne.

Prof. Croft.

That Sect. V stand as it is.

Lost

Dean.

Principal U.C.C.

That Sect. V stand as it is, with the exception of clause excluding Ecclesiastics, &c.  
amendment carried.

Yeas, President      Nays Prof. Croft

Deans      " Gwynne

Principal      " King

Sect. VI. Prof. Gwynne

Prof. Croft

That the section stand as it is, with the exception of 'triennially' or 'quinquennially' for 'annually'

Lost

The Dean.

Prof. King.

That the V. Chancellors be the President and therefore a permanent officer  
Amendment carried.

Yeas President      Nays Prof. Croft.

Dean      " Gwynne.

Prof. King

Principal U.C.C.

Sect. VII. Prof. Gwynne

Prof. Croft.

That the office of President be omitted, and that V. Chancellors discharge the duties. — Lost.



Sect. VIII. continued.

Dean.

Prof.<sup>r</sup> King.

That the Section stand as it is.

Amendment carried.

Yeas. President.

Nays Prof.<sup>r</sup> Croft

Dean.

" Gwynne

+ absent from  
previous divisions.Prof.<sup>r</sup> King.

" Beaumont

Principal, U.C.C.

Sect. X Prof.<sup>r</sup> Gwynne.

" Croft

That 'Proviso' be omitted.

Carried unanimously.

Sect. XI President.

Dean.

That the words 'Students & Members in statu pupillari,' be substituted for 'undergraduates' l. 28. That 'lectures & examinations' be inserted between 'Studies' & 'Exercises', l. 32. and ~~that~~ 'literary pursuits' be omitted. -- That 'Students, Members in statu pupillari & Candidates for Degrees' be substituted for 'under graduates', l. 33; and the word, 'always saving the privileges in this Bill conferred on the Deans & Faculties' be inserted between 'University' & 'with', l. 35.

Carried unanimously

Prof.<sup>r</sup> Gwynne.Prof.<sup>r</sup> Croft.

That 'V. Chancellor' be substituted for 'President'

Lost.

Yeas, Prof. Gwynne.

Nays, President

" Croft.

Dean

" Beaumont.

Prof.<sup>r</sup> King

Principal U.C.C.

Sect. XII Prof.<sup>r</sup> Gwynne.Prof.<sup>r</sup> Croft.

That sect. XII, stand as it is.



Sect: XII President.

Continued

Principal of U.C.C.

That Sect XII stand as it is, with the following addition; - but that the present Faculty of Divinity shall be separated from the University and continue under the name of King's College.

Amendment carried.

Yeas, President

Nays Prof. Croft

Prof. King

" Gwynne

Principal U.C.C.

" Beaumont

Sect: XVII &amp; XVIII. President

Dean

That in the appointment of additional members of Senate by Crown between present year & 1860, preference shall be given to members of British or Colonial Universities resident in or near Toronto.

Carried

Yeas President

Nays Prof. Croft

Dean

" Gwynne

Prof. King

" Beaumont

Principal U.C.C.

President.

Dean.

That after 1860 no members of invocations shall be elected to Senate as additional members of less standing than 10 years from Matriculation.

Lost.

Yeas President

Nays Prof. Croft

Dean.

" Gwynne

Prof. King

" Beaumont

Principal U.C.C.

President.

Dean.

That Ecclesiastics shall not be ineligible.

Lost.

Yeas, President

Nays Prof. Croft

Dean

" Gwynne

Principal U.C.C.

" King

" Beaumont



Sect. XIX Entered below after Sect XXI.

Sect. XXI Prof.<sup>r</sup> Gwynne

Prof.<sup>r</sup> Croft

That Section XXI stand as it is, with reference to the constitution of the Board

President

Principal of U.C.C.

That the Board consist of 4 members in addition to Chairman; of whom 2 to be appointed as in Bill, a third to be appointed by Caput, and the fourth by Masters of U.C.C.; but that no additional expense be incurred by the proposed addition

Carried

Yeas. President

Nays Prof.<sup>r</sup> Croft

Dean

" Gwynne

Prof.<sup>r</sup> King

" Beaumont

Principal, U.C.C.

President.

Professor Gwynne.

The Chairman to be removable, on report by  $\frac{2}{3}$  of the members of Senate; or of  $\frac{2}{3}$  of College Council, if appointed to by Senate; and security to be given by him & the other members of the Board

Carried unanimously.

Sect. XIX. Prof.<sup>r</sup> Gwynne

" King

Substitute 'Visitor' for 'Crown' in l. 8. p. 13.

carried unanimously.

Sect. XXIV President.

Prof.<sup>r</sup> Croft.

Omit 'personal, public, oral.' l. 20. p. 17.

Carried unanimously.

Sect. XXVII President

Professor King

Substitute 'Caput' for 'Senate' l. 7.

Lost.

Yeas President

Nays The Dean

Prof.<sup>r</sup> King

Prof.<sup>r</sup> Croft

" Gwynne

" Beaumont

Principal U.C.C.



Sect. XXVII Professor Croft

continued

Professor Beaumont

Omit for Professors 'chairs, and' l. 2.

Carried unanimously.

Sect. XXIX President.

Prof.<sup>r</sup> King

That the following words be added after 'of them' l. 3: 'but that every encouragement shall be given and every facility afforded, as far as lies within the power of the authorities of the said University for the attendance by the members of the said University on the religious instruction afforded by the Colleges, Institutions, Ministers, Ecclesiastics, or Teachers of the particular religious denomination to which each member belongs.

Lost.

Yeas, President      Nays, Prof.<sup>r</sup> Croft

Prof.<sup>r</sup> King

" Gwynne.

" Beaumont.

Principal U.C.C.

Sect. XLII President.

Professor Gwynne.

The 'seventh' shall be substituted for 'sixth' year in the amendment adopted by Professors, and that the rest of that amendment stand.

Carried unanimously.

Sect. XLIV President.

Professor King.

Substitute for Section the following words.  
That the different departments of the University shall be conducted as hitherto, and under the existing Statutes & Regulations, until new Statutes and Regulations shall be made for conducting them in accordance with the provisions of this Act.

Carried. Professor Gwynne dissenting

Sect. XLV President.

Dean.

Add after 'papered' l. 14. 'and that it shall & may be lawful to make provision for the admission to



Sect. XLV continued degrees in Divinity of those who have hitherto or are at present pursuing their studies in that Faculty, according to existing Statutes' carried unanimously.

Sect. XLVII Professor Gwynne  
Professor Croft

That the code of Statutes be prepared by Senate and that the duties of Commissioners of Visitation be limited to the subjects stated in Sect. XLVIII & XLIX.

Carried, the President dissenting

Sect. XLVIII Professor King.

Professor Beaumont.

That after the word 'persons' l. 43. the following be added 'and of others, who can advance claims to similar compensation.'

carried unanimously.

From

My Dear Sir,

April 26<sup>th</sup> 1849.

President of  
the University

Please affix the Corporate Seal to the Petition and I will authenticate it, as I usually do, by my initials. I think that you should sign it as Registrar as is customary in instruments issued from your office.

Dr. Boys,

Yours faithfully,

Dr. de la.

(signed) John McCaul

To

Memorandum, 26, April, 1849. Sent to the Private Secretary the Minutes of Council of 17<sup>th</sup> April 1849.

To

Memorandum, 27<sup>th</sup> April, 1849. Sent to the Private Secretary the Minutes of Council of the 19<sup>th</sup> April 1849.

To

Memorandum, 28<sup>th</sup> April, 1849. Sent to the Private Secretary the minutes of Council of the 24<sup>th</sup> April 1849.

To

M. Henschfelder.

Kings College Office, Toronto  
10<sup>th</sup> May 1849.

Sir,

Your petition to the College Council, that they would recommend you to His

This Excellency, the Chancellor, for the Professorship of Hebrew and Oriental Languages provided for by Statute, was submitted to that body yesterday, when I was directed to inform you, that the Council have never recommended to His Excellency the Chancellor any candidates for a Professorship; and that at present when many changes in the constitution of the University and the circumstances of the Professors, are contemplated, it appears to them inadvisable to suggest any appointment.

I have the honor to be  
Sir,

Your most Obedient Servant  
Signed, H. Boys,  
J. M. Hirschfelder Esq } Registrar, &c.

Petition  
from  
J. M. Hirschfelder Esq.  
To the Honourable the Council of Kings College,  
Toronto 9<sup>th</sup> May 1849.

A Bill having been brought before the Legislature to amend the Charter of Kings College which renders it necessary for your Memorialists to petition His Excellency the Chancellor before the measure is carried through Parliament for the appointment to the Professorship of Hebrew and Oriental Languages established by Statute in the year 1844, your Memorialists respectfully solicit the assistance of your Honourable Council in obtaining his object.

Your Memorialist takes the liberty of stating that in every German University of which there are no less than 22, there is at least one Hebrew Professor, nor is he aware of any University in England, France or America which has not such a Professor, in Mac Gill College, Montreal



too, there lately has been a Hebrew Professorship established and Mr. Besa the Minister of the Jewish Synagogue appointed thereto; such being the case, surely, the University of Kings College will not form the only exception and as your Memorialist has now for six years filled the situation of Hebrew Tutor in the institution, your Honorable Council has had an opportunity of judging of his qualifications, and of the manner in which he discharged his duties, your Memorialist therefore humbly prays that your Honorable Council will recommend him to His Excellency the Chancellor for the appointment to the Professorship of Hebrew & Oriental Languages provided for Statute.

And your Memorialist as in duty bound will ever pray.  
(Signed) Jacob M. Hirschfelder

To Memorandum 11 May, 1849. Sent to the Private Secretary  
the Private Secretary the Minutes of Council of 25<sup>th</sup> April & 9 May, 1849.

To  
The Lord Bishop  
of Toronto: My Lord,

Kings College Office - Toronto  
12<sup>th</sup> May 1849.

I am directed to apply to your Lordship for the Charter of the University of Kings College, which is at present in your possession, and request that you will be so good as to send it by the bearer.

I have the honor to be.

(Signed) M. Besa  
Registrar, U.C.

From  
The Lord Bishop, Sir  
of Toronto -

Toronto 12 May, 1849.

I have the honor to acknowledge  
your

your letter of this date, stating that you are directed to apply to me for the Charter of the University of Kings College which is at present in my possession.

In reply I have the honor to state that I do not feel myself at liberty to give up the document alluded to except on a regular application from the College Council and receiving a receipt for the same.

I have the honor to be

Sir,

Your most Obedient Servant  
Signed, John Toront.

Sol.  
H. Boys, Esq.  
Registrar, K.C.

New  
Buildings.

Statement of Expenses at the New  
Building for the Quarter ending March, 31<sup>st</sup> 1849

Servants Wages.....	£ 24 <sup>0</sup> 4 <sup>0</sup> 0
Cutting & carrying Wood.....	£ 9 <sup>0</sup> 10 <sup>0</sup> 6
Cleaning Clock.....	0 <sup>0</sup> 10 <sup>0</sup> 0
Philips & Co for Oil, &c.....	8 <sup>0</sup> 2 <sup>0</sup> 6
Jacques & Hays.....	4 <sup>0</sup> 0 <sup>0</sup> 6
Paper.....	6 <sup>0</sup> 18 <sup>0</sup> 3
Craig.....	3 <sup>0</sup> 6 <sup>0</sup> 0
	56 <sup>0</sup> 11 <sup>0</sup> 9
Receipts during the Quarter.....	39 <sup>0</sup> 14 <sup>0</sup> 4 <sup>1</sup> / <sub>2</sub>
	16 <sup>0</sup> 17 <sup>0</sup> 4 <sup>1</sup> / <sub>2</sub>

To  
S. G. Ridout Esq.  
Sir,

Kings College C. Toronto  
29<sup>th</sup> May, 1849.

I have the honor to send you herewith Government Debentures as per accompanying List, amounting to £90.00 belonging to this Corporation; and have to



To request you will receive them into the  
Bank of Upper Canada for safe custody.

I have the honor to be

Sir,

Your most O<sup>b</sup>. Servant

(Signed) H. Boys,

Bursar, K.C.

List of Government Debentures,  
for short periods, belonging to the Council of  
King's College, lodged in the Bank of Upper  
Canada on the 29<sup>th</sup> May, 1849.

N <sup>o</sup> . of Debenture	Date	N <sup>o</sup> . of Debt.	Amount	N <sup>o</sup> . of Debenture	Date	N <sup>o</sup> . of Debt.	Amount
	<u>1848</u>				<u>1848</u>		
454	1 <sup>st</sup> Aug.	1		6116 & 6117	9. Nov <sup>r</sup>	2	
636	" "	1		6132 & 6136	" "	5	
1736	" "	1		6169	" "	1	
5833	25 Nov.	1		7041	12 Dec <sup>r</sup>	1	
3918	" "	1		8378	<u>1849</u> 10 Feb.	1	
6221	12 Dec.	1		9801	23 Mar.	1	
6883	<u>1849</u> 22 Jan.	1		9928	" "	1	
7130	10 Feb.	1				12.	
7202	" "	1		Debent <sup>rs</sup> of £5. each			60. 0. 0
7207	" "	1					
8014	7 Mar.	1					
8638	20 "	1		Debent <sup>rs</sup> of £2.10.0 each			30. 0. 0
Deb <sup>ts</sup> of £2.10.0 each		12	£30 0 0				£ 90. 0. 0

King's College Office, Toronto

29<sup>th</sup> May 1849.

(Signed) H. Boys,

Bursar, K.C.

To  
Phillips, Esq.

King's College Office, Toronto  
31<sup>st</sup> May, 1849

Dear Sir,

Your letter of the 31<sup>st</sup> March  
last in behalf of your Mother & Sisters was taken  
into

into consideration by the Council of King's College  
 at their meeting held yesterday, when they made  
 the following minute "that although the  
 " Council cannot accede to the desire of Mr.  
 " Phillips that a yearly pension may be granted  
 " to his Mother and Sisters, yet, in consideration  
 " of the long and faithful services rendered by  
 " his late Father, the Rev. Dr. Phillips, they  
 " willingly assent to his request that the half  
 " year's salary due in July, shall be paid  
 " to them". I shall therefore be ready at  
 any time to issue to your Mother & Sisters  
 this money; or to you, or any other person  
 they may jointly appoint to receive it for them.

I remain, My dear Sir,

Yours very truly

(Signed) H. Boys-

To Memorandum, 31<sup>st</sup> May, 1849. Sent to the Private  
 the Private Secretary Secretary the Minutes of Council of the 30<sup>th</sup> May, 1849.

From  
 E. Goldsmith  
 pro Cashier,

Bank of Upper Canada  
 Toronto 31<sup>st</sup> May, 1849.

Sir,

I have to acknowledge your  
 favor of the 29<sup>th</sup> inst: accompanying  
 £90. in short Government Debentures  
 which are entered for safe keeping  
 on your account.

I am, Sir

Your obt. Servant  
 (Signed) Ed. Goldsmith  
 pro Cashier

To  
 H. Boys, Esq.  
 Bishop, N.C.



To  
 Mrs. M. Powell,

Kings College Office Toronto  
 2<sup>d</sup> June, 1849.

My dear Madam,

I have the pleasure  
 to communicate to you the following minute  
 made by the Council of Kings College at their  
 meeting on the 30<sup>th</sup> Ult<sup>o</sup>. viz: "that the  
 "Council having taken into consideration  
 "the prayer of Mrs. Powell, and bearing in  
 "mind the changes which the University  
 "may shortly undergo in its management,  
 "consent to a suspension of their former min-  
 "ute, and will allow Mrs. Powell for the  
 "present to continue her residence in  
 "the West Wing, on the same terms as  
 "heretofore."

I remain, My dear Madam  
 Your most Obedient Servant  
 (Signed) H. Bays,  
 Bursar, &c.

To  
 G. Ridout, Esq.

K. C. O. Toronto  
 15<sup>th</sup> June, 1849.

Sir,

We have been offered the  
 enclosed Debenture of £500 bearing  
 for £475. and the Council have no  
 objection to make the purchase provid-  
 ed the bill is one of the best sort of  
 public securities, - of this point you  
 will be the best judge and I refer the  
 matter to you, - that you may make  
 the purchase in our behalf, charging  
 us with the price and your usual com-  
 mission for the transaction and future  
 management of the Debenture.

I beg to point out to you that the  
 words "on the consolidated revenue"  
 "Fund" of the Province are scratched  
 out.

out, which circumstance perhaps renders it no longer one those securities we wish to possess and in that case we would not make the purchase.

The above mentioned sum includes the accrued interest in the debenture.

I am Sir  
(Signed) H. Boys,  
B. H. C.

To the Hon<sup>ble</sup>  
J. B. Robinson  
Esq. &c &c

H. C. College Toronto.  
15<sup>th</sup> June, 1849.

Sir,

In accordance with the requirements of the Charter of Kings College that, "the Statutes shall be forthwith transmitted to the Visitors," I have the honor to enclose herewith a copy of a Statute passed by the College Council at their meeting held yesterday.

I have the honor to be

Sir

Your Most Obedt. Servant  
(Signed) H. Boys,  
Registrar, H. C.

To Memorandum, 15<sup>th</sup> June, 1849. Sent to the Private Secretary  
The Private Secretary the Minutes of Council of the 14<sup>th</sup> June, 1849.

Petition  
from  
The Rev<sup>d</sup>  
W. Hammet  
H. C. C.

H. C. College 1<sup>st</sup> June, 1849.

To the President & Members of the  
Council of Kings College  
Gentlemen,

I am very sorry to be obliged again to bring before you the matter of the College Boarding House as you are aware from my former



letters, it never has remunerated me for the care of superintendence; and for the coming quarter, I have the gloomy prospect before me of certain loss, owing to a reduction in the number of boys. To whatever cause, this reduction is attributable, I think I can safely say, that they are such that I could not properly control; for I feel that my own duty has been conscientiously discharged, that the domestic affairs has been conducted in a manner that has given satisfaction in every case in which an opinion on the subject has been expressed.

I have by me letters of this tenor from the parents of some of those scholars left; and the fact that the boys have been removed altogether from College, tends to show that the Cause is independent of any relation to the Boarding House.

It is to me some consolation to feel that my efforts to discharge my duty has not been unappreciated, and to know that my want of good success is owing to extraneous causes. - Still the efforts of failures in a pecuniary way fall with full force upon me; I am dispirited; it is that I shall have a debt to encumber my future movements, at the very time, when, from the position of the College, there is the most urgent reason that I should be free. I beg of you, dear friends, gentlemen, to devise some means to relieve me. The Principal knows my position, and the circumstances under which I took the Boarding House.

I am bound by my agreement to continue the establishment till August; I do -



I do not shrink from the duty, I shrink from the disheartening prospect of ten weeks of confinement and anxiety, to terminate in my being involved more deeply than I am now. I speak of being involved, yet I would not be misunderstood; for I shall have the full value of all I owe in property, though the debt of One hundred pounds will be now the less embarrassing.

What I ask then is this; that such portion of this debt as has been incurred with the view of conducting the Boarding House be taken off my hands on my giving up the articles purchased; and, as it is not thought advisable to put any one in my room for the remainder of my time, that permission be given to me to request the parents of those boys who are now in residence, to place their sons elsewhere for the coming quarter.

The new quarter will commence on 3<sup>d</sup> and as there would not be time for answers to be received I would gladly retain the boys for one week without expense, in order to accomplish my wish.

Wishing you will kindly give this subject your immediate and favourable consideration.

I remain, gentlemen,

Most respectfully, &c.

(Sgd) Walter Stennett,  
King's College Office - Toronto

16<sup>th</sup> June, 1849 —

To  
The Rev.  
Walter Stennett.  
Esq.

To  
The Rev.  
Sir,

Your letter dated the 8<sup>th</sup>



Instant relative to the Upper Canada College Boarding House was read in the College Council at their meeting held the day before yesterday, when the following minute was made therein — "that Mr. Stennett's application" to be relieved from "the charge of the Boarding House", as he "proposes and" to have the articles which "he ~~has~~ has purchased for the conducting "of the Boarding House" taken off his hands, "be complied with".

I have the honor to be  
Sir,

Your most obt. Servant  
Signed, H. Boys  
Benson, N.C.

Groom,  
W. Bettridge  
Student.

To the honourable The  
Council of the University of  
King's College in their Council  
Chamber assembled.

The humble petition of William  
Bettridge, a matriculated Student  
of the first year in the Faculty of  
Arts, in the said University.

Sheweth,

That your petitioner  
hath been given to understand that  
he is to be arraigned before your  
honourable Council charged with divers  
and grievous offences against the Statutes  
and discipline of the said University  
for which said offences your petitioner  
verily believes that he is in danger  
of being at least temporarily expelled  
from the said University; so verily



verily believing from his having received on Monday last, the following notice from the Dean of the said Faculty.

"The Dean begs to inform  
"Mr. Buttrick that he has consulted  
"the President since he saw him and  
"that whilst he is gratified to find that  
"he is sensible of the greatness of his  
"fault, - he says that it is absolutely  
"necessary for the example's sake, as  
"well as for his own benefit, that he  
"should remove without delay until  
"the end of this term.

"The Dean will therefore take care  
"that a Cab shall be sent to convey him  
"and his luggage to the 2 o'clock  
"boat to-morrow, and will arrange  
"for his journey home. He writes to day  
"to his father to explain the circumstance  
"standing, and there will ~~no~~ doubt be  
"some friend to meet him at  
"Hamilton."

"Monday Evening"

That your petitioner  
hath ~~never~~ never at any time either  
before or since his Matriculation seen  
the said Statutes, nor any of them,  
nor hath he ever to his knowledge  
been instructed in the purport and  
tenor of the same - though he hath  
lately made application to certain  
officers of the said University to see,  
or be so instructed in the same.

That your petitioner hath  
been informed by the President of the said  
University that if he be so expelled as afore-  
said, he your petitioner will of a certainty  
lose the whole of the present Academical  
year and that the same, although he hath  
duly



duly kept all the preceding terms and is now near the conclusion of the last term thereof, will not count for him towards the time requisite for obtaining the first degree in the said Faculty.

That your petitioner is under the circumstances greatly alarmed and finds his constitutional weakness therefore and by reason of his youth and inexperience greatly aggravated.

That the accuser or accusers of your petitioner will in all probability be a person or persons of great learning and experience - that your petitioner is in no wise suited to contend with him or them or to bring out in a proper manner the points of his defence before your honourable Council.

Your petitioner therefore humbly prays your honourable Council that your honourable Council will be pleased to take his case into your serious deliberation, and, in consideration of the premises to allow either some friend being a member of the honourable the House of Convocation of the said University, or some member of your honourable Council who is cognizant and has a knowledge of the said Statutes, to be heard before your honourable Council in behalf of him your Petitioner; - And, in case your honourable Council shall see fit to grant either of the last mentioned alterations, and, if your honourable Council shall see fit to allow neither of the same still at any rate, to permit him your petitioner to be heard as aforesaid on his own behalf; And your petitioner will ever pray, &c. &c. -

Signed Wm Bellbridge

R. C. Toronto  
14<sup>th</sup> Day  
June 1849

To  
The Hon<sup>ble</sup>  
James Leslie  
Provincial Secy

H. C. Office, Toronto  
14<sup>th</sup> June, 1849.

Sir,

I have the honor to request that you will move His Excellency the Governor General to direct a Warrant to issue for the usual grant to Upper Canada College of £1000 Sterling, should the same have been voted for the current year.

I have the honor to be  
Sir

Your most Obedient Servant  
(Signed) H. Boys.  
Bursar, H.C.

From  
C. Goldsmith,

Bank of Upper Canada  
Toronto 16<sup>th</sup> June, 1849.

Dear Sir,

for  
the Cashier of  
H. C. Bank.

In reply to your favor of yesterday I beg leave to inform you that in consequence of the alteration which has been made in the wording of the Debenture which accompanies your letter I do not feel prepared to advise the Council to purchase it, but must leave the question to their own decision.

I am Sir &c

Signed C. Goldsmith  
per Cashier

H. C. O. Toronto 18 June, 1849

To  
The Cashier  
H. C. Bank,

Sir,

I request you will receive into the Bank of Upper Canada for safe Custody and management the enclosed Debenture belonging to the Council of Kings College, being Provincial Debenture N<sup>o</sup> 3 for £500 Currency - dated 4<sup>th</sup> Oct. 1848,



payable in 5 years from 30<sup>th</sup> Sept: 1848 with  
Interest half yearly at the rate of 6 per cent  
per annum. And have to request your re-  
ceipt for the same as usual.

I am Sir -

Signed, H. Boys,  
Bursar, K.C.

Garon,  
Ed: Goldsmith  
pro Cashier,

Bank of Upper Canada  
Toronto 19<sup>th</sup> June, 1849.

Sir,

I have received your letter of  
the 18<sup>th</sup> instant enclosing a Government  
Debtenture N<sup>o</sup> 3 for £500 - which I have  
entered for safe keeping, and the collection  
of Interest thereof for account of the Kings  
College Council -

I am Sir,

Your Obedt. Servant  
(Signed) Ed<sup>d</sup> Goldsmith  
pro Cashier.

A.C.P. Ester, Esq.  
opinion  
on application  
of the Corporate  
Seal:

The University of King's College -

There is no doubt that the act  
of the Majority bound the whole Corporation,  
including the Chancellor & President.

They must be deemed to have consented  
to it. Sergeant Whitacker's Case, 2 L<sup>d</sup> Ray.  
1236. 2, Salk: 434. The President, I think  
is bound to affix the Corporate Seal to a  
document adopted in this manner.

This of course supposes, that the adoption  
of the Petition was an act within the com-  
petence and duty of the Council; in other  
words that the Council have authority to  
make the Corporation present a Petition to  
the Legislature. In this case the Corporate  
Seal -



Corporate Seal ought to be affixed to the Petition, because it cannot ~~be~~ otherwise become a Corporate Act. I see no reason to doubt, and I suppose it is not doubted by any one, that the Council have power to resolve upon a Petition to the Legislature on the part of the Corporation. It is a matter, which may deeply concern the well-being of the entire body. The authority of the Council is not, I think, bounded by the power to make Statutes &c. The Charter contemplates many other matters than those, upon which their decisions would require the confirmation of the Visitor, and would be subject to his disallowance at any time within two years, coming under their consideration in the shape of "questions and resolutions."

Consisting originally of nine and now of twelve members with a quorum of five, it is evidently intended to be a practical body, constituted for the dispatch of business, and invested with very extensive and at the same time with very minute powers.

The duties of the Convocation are, I presume, of very different and of a much more abstract nature.

In short I think the Council is the governing body, and can require the Corporate Seal to be applied to the perfection of its acts. I have not seen the Statute regulating the use of the Corporate Seal, but it cannot properly contain any thing restrictive of this power of the Council. The powers created by the Charter, were conferred for the general good and cannot be diminished by Statutes. Such a restriction would



would be repugnant to the Charter.  
(Signed) J. C. P. Esten.  
April 26<sup>th</sup> 1849. -

From  
J. G. Ridout, Esq. To,  
Cashier D<sup>r</sup>. H. Boys,  
B. U. C. Sir,

Bank of Upper Canada  
Toronto 24<sup>th</sup> July, 1849

As the Government is prepared to pay in Cash their small debentures as may fall due, together with the years interest accrued thereon, but no more. I have to request your instructions in regard to those that are held here on your account - and would suggest that you should direct me to remit the whole amount to our Montreal Agency for collection.

I remain  
Yours  
(Signed) Tho<sup>s</sup>. G. Ridout  
Cashier

To  
J. G. Ridout, Esq.  
Cashier  
B. U. C. - Sir,

Kings College Office, Toronto  
28<sup>th</sup> July, 1849.

I have the honor to send you herewith small Government Debentures as per accompanying list amounting to sixty seven pounds, ten shillings and sixpence belonging to this Corporation; and have to request that you will receive them into the Bank of Upper Canada for safe custody.

I have the honor to be  
Yours  
(Signed) H. Boys,  
B. U. C.

Turn over.

List of Government Debentures of short periods, belonging to the Council of King's College, lodged in the Bank of Upper Canada, on the 28<sup>th</sup> July, 1849

N <sup>o</sup> of the Debenture	Date	N <sup>o</sup> of Deb <sup>ts</sup>	Am <sup>t</sup> .	N <sup>o</sup> of the Debenture	Date	N <sup>o</sup> of Deb <sup>ts</sup>	Am <sup>t</sup> .
Debentures at £2.10.0 each				Debentures at £5. each.			
817	1 Aug <sup>r</sup> 1848	1		4834	12 Dec <sup>r</sup> 1848	1	
2814	11 Sept <sup>r</sup> "	1		8476	10 Feb <sup>r</sup> 1849	1	
2822	" " "	1		9587	22 Mar <sup>r</sup>	1	
3276	20 " "	1		531	3 April	1	
4519	23 Oct <sup>r</sup> "	1		1454	7 May	1	
6144	2 Dec <sup>r</sup> "	1		3300	20 June	1	
6700	10 Jan <sup>r</sup> 1849	1		Debentures at £5 each. 6 £30.0.			
6842	22 " "	1					
6897	" " "	1					
7234	10 Feb <sup>r</sup> "	1					
7284	" " "	1					
9343	2 April "	1					
101	7 May "	1					
60	" " "	1					
490.	" " "	1					
Debentures at £2.10/cach		15	£37.10.0				

Debentures at £2.10.0 each ——— £ 37. 10. 0

Ditto at £ 5.0.0 each ——— 30. 0. 0

£ 67. 10. 0

King's College Office

Toronto, 28<sup>th</sup> July, 1849

(Signed) W. Hays,

Bursar, K.C.

To  
T. G. Menden Esq  
Cashier  
B. M. C.

Sir,

King's C. C. Toronto  
28<sup>th</sup> July 1849

In reply to your letter of the 24<sup>th</sup> instant, I have to request that you will remit the whole amount of small debentures.



debentures which this Corporation has placed in the Bank of Upper Canada to your Agency at Montreal for collection

You will find the several deposits to be as follows.

—	on 8 <sup>th</sup> August 1848.	£533. 0. 0.	
—	" 3 Novr.	65. 0. 0	
—	" 27 "	157. 10. 0	
—	" 8 Decr.	652. 10. 0	
—	" 14 "	197. 10. 0	
—	" 28 "	210. 0. 0	
—	" 3 January 1849—	417. 10. 0	
—	" 9 "	532. 10. 0	
—	" 7 Feb.	107. 10. 0	
—	" 12 March	535. 0. 0	} Probably already in the hands of your Montreal Agency.
—	" 18 April	180. 0. 0	
—	" 29 May	90. 0. 0	
—	" 28 July	67. 10. 0	
		<u>£ 3787. 10. 0</u>	

The amount of the first of these deposits £533. 0. 0 became due on the 17<sup>th</sup> Instant.

I remain

S<sup>c</sup> S<sup>c</sup>

To  
J. G. Bidout, Esq.  
Cashier, &c &c

(Signed) H. Bays,  
Bursar, &c

M. C. O. Toronto  
30<sup>th</sup> July, 1849

J. G. Bidout Esq. Sir,

In my letter of the day before yesterday, directing the transmission of our small Government Debentures to your Agency, at Montreal, I have mentioned that the first Deposit of £533—December due on the 17<sup>th</sup> Inst. I should have added that £500—of the 8<sup>th</sup> Deposit, made on the 9<sup>th</sup> January last, also became due on the same day— These two sums, together £1033—

are all that become due within the current month, belonging to this Corporation.

I remain, Sir

(Signed.) H. Boyd,

Brunswick, N.C.

From  
J. G. Nidout Esq.  
Cashier

Bank of Upper Canada  
Toronto 30<sup>th</sup> July, 1849.

Sir,

I have to own your favor of the 28<sup>th</sup> covering £67.10 currency in Government Debentures which as requested I have entered for safe keeping -

I am Sir

Yours  
H. Boyd, Esq.

(Signed) J. G. Nidout  
Cashier

To  
J. G. Nidout, Esq.  
Cashier. Sir,

Kings College Office  
Toronto. 1<sup>st</sup> August, 1849.

I beg to send you enclosed a list of Government small Debentures belonging to the Corporation becoming due within the present month of August, for the purpose of assisting your agent at Montreal in claiming the principal and interest due upon them.

If you will have the goodness to number the several packages we have deposited in your hands according to the date of deposit you will find them to be as follows; and they will then correspond with the references in the list sent. viz<sup>t</sup> -

Deposit No 1	made on	8 <sup>th</sup> Aug: 1848.	amounting to	£555.0.
" 2	"	3 <sup>rd</sup> Nov: "	"	65.0.
" 3	"	27 <sup>th</sup> "	"	157.10
" 4	"	8 <sup>th</sup> Dec: "	"	652.10
" 5	"	14 <sup>th</sup> "	"	197.10
" 6	"	27 <sup>th</sup> "	"	210.0
" 7	"	3 <sup>rd</sup> Jan: 1849	"	417.10



Deposit N<sup>o</sup> 8 made on 9<sup>th</sup> Jan: 1849. amounting to £532.10.0.

"	9	"	7 <sup>th</sup> Feb:	"	"	107.10.0
"	9(a)	"	12 <sup>th</sup> Mar:	"	"	533.0.0
"	10	"	18 <sup>th</sup> April	"	"	180.0.0
"	11	"	29 <sup>th</sup> May	"	"	90.0.0
"	12	"	28 <sup>th</sup> July	"	"	67.10.0

I have the honor to be  
Sir, &c. &c.

Signed) H. Boys,

Bursar, K. C.

List of small Government Debentures belonging  
to the Council of King's College becoming due in August 1849.

of £2.10.0 each			of £5.0.0 each		
Number	Reference	Date	Number	Reference	Date.
29	9	Aug: 1.1848	513	4	Aug: 1.1848
360	4	" "	542	2	" "
411	"	" "	543	"	" "
429	2	" "	606	6	" "
434	3	" "	638	3	" "
441	"	" "	1210	9	" "
441	"	" "	1319	3	" "
442	9	" "	1397	2	" "
447	6	" "	1398	6	" "
454	11	" "	1407	6	" "
493	4	" "	1452	2	" "
503	"	" "	1506	2	" "
607	8	" "	1590	9	" "
636	11	" "	1805	2	" "
659	8	" "	1835	5	" "
660	3	" "	1857	10	" "
740	2	" "	1861	2	" "
766	2	" "	1868	"	" "
780	8	" "	1887	3	" "
811	4	" "	2130	4	" "
817	12	" "	2131	5	" "
821	4	" "	2236	2	" "

of £2.10.0 each

of £5.0.0 each.

Number	Reference	Date	Number	Reference	Date
852	7	Aug. 1. 1848	2261	3	Aug: 1. 1848
856	5	" "	2275	6	" "
867	4	" "	2310	6	Aug: 15.
884	"	" "	2314	9	" "
892	9	" "	2327	"	" "
962	4	" "	2335	"	" "
1200	7	" "	2336	"	" "
1371	6	" "	2336	10	" "
1635	2	" "	2337	6	" "
1718	9	" "	2348	2	" "
1733	2	" "	3306	6	Aug: 20.
1736	11	" "	3308	"	" "
1815	6	Aug: 15, 1848	3312	"	" "
2030	9	" "	3313	"	" "
2067	"	" "	3314	"	" "
2162	7	" "	3317	"	" "
2162	3	" "	3663	9	" "
2364	4	" "	3672	6	" "
			4238	"	" "
			4489	"	" "
	40		42-		

Recapitulation.

42 Debentures at £5. each £210. 0. 0

40 do at £2.10. do 100. 0. 0

Total amount due in Aug: 1849. £ 300. 0. 0

From,  
J. G. Ridout, Esq.  
Cashier.  
B. M. C.

Sir,

Bank of Upper Canada  
Toronto 2<sup>d</sup> August: 1849.

In compliance with the request conveyed in your letter of the 28<sup>th</sup> Ult<sup>o</sup>: I have this day forwarded to the Bank Agent in Montreal £3,232.10.0 in small Government Debentures for collection for account of the



Kings College Council, with instructions to the Agent to present them to the Receiver General for payment with the accrued interest thereon as they become due: - or rather, on the last day of each month to present all those which have matured during the month; - for which service the Bank will charge one half of one per cent.

The deposit of £535 - on the 12<sup>th</sup> of March last is already in the hands of W. Winham making the total amount £3,787. 10. 0 falling due as follows.

In the month of July.....	£1055.
_____ " _____ August.....	262. 10.
_____ " _____ September.....	377. 10.
_____ " _____ October.....	350.
_____ " _____ November.....	925.
_____ " _____ December.....	155.
_____ " _____ January.....	30.
_____ " _____ February.....	30.
_____ " _____ March.....	22. 10.
_____ Montreal do.....	535. 2
_____ April.....	7. 10.
_____ May.....	12. 10.
_____ June.....	5. 0.
	<u>£3787. 10. 0</u>

I am, Sir  
Your O<sup>b</sup>t. Servant  
(Signed) Thos. G. Ridout  
Cashier -

To  
D<sup>r</sup> Bay

To  
T. G. Ridout Esq  
Cashier  
B. U. C.

M. C. O. Toronto  
27<sup>th</sup> August, 1849.

Having occasion to be absent from Toronto for a few days I have made arrangements with the President of the University, D<sup>r</sup> Mc Caul, for him to draw on the funds of the Council during the time I may be away, I therefore request you will honor the drafts of that Gentleman until my return. (Signed) H. Bay,  
Barrister at Law.

To Memorandum, 27 Sept<sup>r</sup> 1849. sent to the Private Secretary  
the Private Secretary, The Minutes of Council of the 26<sup>th</sup> Inst<sup>t</sup>.

List of Government Debentures of  
short periods, belonging to the Council of  
King's College lodged in the Bank of  
Upper Canada on the 16<sup>th</sup> day of October 1849.

N <sup>o</sup> of the Debenture	Date	N <sup>o</sup> of Deb <sup>res</sup>	Am <sup>t</sup> .	N <sup>o</sup> of the Debenture	Date	N <sup>o</sup> of Deb <sup>res</sup>	Am <sup>t</sup> .
Debentures at £2.10.0 each.				Debentures at £5.0.0 each			
7095	22 Jan: 1849	1		5285	23 Oct: 1848	1	
1666	1 June "	1		5503	4 Nov: 1848	1	
1779	1 " "	1		8076	22 Jan: 1849	1	
1780	1 " "	1		8082	" " "	1	
2760	15. " "	1		8083	" " "	1	
5678	15 Aug: "	1		8085	" " "	1	
				8086	" " "	1	
				8087	" " "	1	
				8088	" " "	1	
				8089	" " "	1	
				8090	" " "	1	
				8091	" " "	1	
				2447	1 June "	1	
				4224	12 July "	1	
				5301	1 Aug: "	1	
				5305	" " "	1	
				5405	" " "	1	
		1	£15.0.0			17	£85.0.0

11 Debentures at £2.10.0 = £15.0.0  
17 Ditto " £5.0.0 = £85.0.0  
£100.0.0

To  
J. G. Ridout, Esq.

H. C. O. Toronto  
16 October 1849

Sir,

I have the honor to send you  
herewith small Government Debentures



as per accompanying list, amounting to  
One Hundred Pounds Currency, belonging  
to this Corporation; and have to request that  
you will receive them into the Bank of  
Upper Canada for safe custody & management.

I have the honor to be

Sir &  
(Sig<sup>d</sup>) H. Bays,  
Bursar H. C.

From  
J. G. Ridout,  
Cashier  
B. H. C.

Bank of Upper Canada  
Toronto 17<sup>th</sup> Oct. 1849

Sir,

I beg to own your favor of the 16<sup>th</sup> on-  
closing £100 in short Government debentures  
which I have entered for collection on your  
account.

To  
H. Bays,

I am Sir  
(Sig<sup>d</sup>) J. G. Ridout  
Cashier

From  
J. Sullivan, Esq.  
Pro: Pract: Ant:

Toronto 8<sup>th</sup> October, 1849.

Sir,

I have the honor to request you to  
lay before the Hon<sup>ble</sup> Council of King's College  
the following communication which I am  
most respectfully desirous of submitting for  
their consideration.

I have been suffering from the effects  
of influenza contracted in performance  
of my duties at the University during the  
last winter and seriously aggravated by the  
peculiar nature of these duties. In the  
hope of a thorough recovery or such restor-  
ation of health as would enable me to re-  
sume my employment. I spent part of the  
summer vacation at the sea side but I still  
find my voice so much affected that I  
fear it will be impossible for me to deliver  
lectures



lectures during the coming session—

The near approach of the period for the commencement of the Winter Course of lectures makes it necessary for me to submit the facts of my present disability to the Hon<sup>ble</sup> Council and to pray that such provision may be made for the exigency as may seem right to them under the circumstances.

I shall continue to perform such part of my duties as my state of health will permit and will be most anxious to shorten the term of any indulgence which the Hon<sup>ble</sup> Council may please to grant me by resuming the lectures belonging to my Professorship, as soon as I am able to do so—

I have the honor to be  
Sir

Yours most Obedt. Servant  
(Signed) Henry Sullivan  
Prof. Pract. Anat.  
H. B. B. M.D.  
B. H. C.

To  
Professor  
Sullivan

R. C. Office. Toronto  
29<sup>th</sup> October, 1849.

Sir,

I have the honor to inform you that your letter of the 8<sup>th</sup> inst: was read in the College Council this day, — whereupon the members were pleased to make the following minute, — "The Council having taken into consideration the petition of Professor Sullivan appointed to the discharge of his duties by a deputy or deputies to be procured by him, but subject to the approval of the Council."

I have the honor to be  
Sir

Your most Obedt. Servt.  
Signed H. B. B.  
B. H. C.



Toronto 2<sup>d</sup> November 1849From  
Professor  
Sullivan,

Sir,

I have the honor to acknowledge the receipt of your letter of the 29<sup>th</sup> October, containing a copy of a minute of the Hon<sup>ble</sup> Council by which they authorize the discharge of my duties in the University by a deputy or deputies to be procured by me and subject to the approval of the Council.

I have now to beg the favor of your informing the Hon<sup>ble</sup> Council that I have appointed James H. Richardson, Esq. B. M., as my deputy to lecture and teach Practical Anatomy, and I pray their approval of the same.

I have the honor to be  
Sir

To  
H. Boys Esq.

Your most Obedient Servant  
(Signed) Henry Sullivan

To Memorandum. The Minutes of the Councils held on the  
the Private Sec<sup>y</sup>. 22<sup>nd</sup> 23<sup>rd</sup> ~~24<sup>th</sup>~~ 29<sup>th</sup> & 31<sup>st</sup> October, 1849 were sent to the Private  
Secretary, respectively on the 23<sup>rd</sup> 25<sup>th</sup> 29<sup>th</sup> Oct. & 2<sup>d</sup> Nov. 1849

To  
W. Barron, Esq.  
Principal

Kings College Office, Toronto  
8<sup>th</sup> November 1849.

Sir,

I have the honor to communicate of Kings College to you the following minute, made by the Council of Kings College at their meeting held on the 3<sup>rd</sup> Instant; viz,

"Resolved that the thanks of the  
"Council be given to the Principal of Upper  
"Canada College for the handsome manner  
"in which he has placed the Boarding  
"House at the Disposal of the Council for  
"the use of the University on the present oc-  
"casion"

I have the honor to be  
(Signed) H. Boys



To Memorandum, 7<sup>th</sup> November 1849 The Minutes of the Private Secretary the Councils held on the 3<sup>d</sup> & 6<sup>th</sup> instants were sent to the Private Secretary, respectively, on the 5<sup>th</sup> & 7<sup>th</sup> instants.

To/  
Professor  
Sullivan  
d. d.

Kings College, Office Toronto  
10<sup>th</sup> November, 1849

Sir,

I beg to inform you that the Council of Kings College at their meeting held on the 3<sup>d</sup> instant, entered on their Journal the following minute viz -

"Read a letter from Professor Sullivan nominating J. H. Richardson M. B., as his Deputy to lecture and teach Practical Anatomy; and praying the approval of the Council."

"Mr. Sullivan's nomination was confirmed."

I have the honor to be  
Sir

Your most obedient Servant  
(Signed) H. Bury  
B. H. C.

To  
J. H. Richardson,  
M. B.

Kings College Office, Toronto  
10<sup>th</sup> November, 1849.

Sir,

I have the honor to inform you that Professor Sullivan having nominated you as his Deputy to Lecture and Teach Practical Anatomy in this University, the Council, at their meeting held on the 3<sup>d</sup> Inst: confirmed Professor Sullivan's nomination.

I have the honor to be  
Sir

Your most Obedt. Servt.  
(Signed) H. Bury,  
Bursar, M. C.



To  
 Mr. Private Sec<sup>y</sup>. Memorandum, 20<sup>th</sup> November, 1849, sent to the Private  
 Secretary the Minutes of Council of the 17<sup>th</sup> Nov<sup>r</sup> 1849.

To  
 Mr. Private Sec<sup>y</sup>. Memorandum, 4<sup>th</sup> December, 1849, sent to the  
 Private Secretary the Minutes of Council of the  
 28<sup>th</sup> November, 1849.

From  
 Hon<sup>ble</sup> J. Leslie  
 Sec<sup>y</sup>

Secretary's Office  
 Toronto 10<sup>th</sup> December, 1849

Sir,

With reference to your letter  
 of the 16<sup>th</sup> June last, I have the honor  
 to inform you that a Warrant has been  
 this day issued in your favor for the sum  
 of £1000 Sterling being the annual  
 Parliamentary Grant for 1849 for Kings  
 College -

The Warrant will be  
 handed to yourself or to your agent on  
 application at the Office of the Hon<sup>ble</sup>  
 the Receiver General.

I have the honor to be  
 Sir

Your most obt<sup>d</sup> Servant  
 (Signed) J. Leslie  
 Sec<sup>y</sup>

To  
 H. Boys, Esq  
 Receiver H. C.

To  
 H. Ridout, Esq  
 Cashier  
 Bank  
 H. C.

H. C. Office  
 Toronto 27<sup>th</sup> December 1849.

Sir,

I have the honor to send you  
 herewith Government Debentures of £2. 10. 0  
 and £5 each, to the amount of £1235. 0. 0  
 according to the enclosed Schedule. Which  
 Debentures I request you will receive into  
 the Bank of Upper Canada for safe custody &  
 management, returning me your receipt  
 for the same.

(Signed) H. Boys  
 B. H. C.

K. C. W. Toronto

27<sup>th</sup> December, 1849.

List of Government Debentures transmitted this day to the Bank of Upper Canada for safe custody and management amounting to £1235. 0. 0

Debentures at £2.10 each			Debentures at £5 each		
Number	Reference	Date	Number	Reference	Date
2531	1	15 <sup>th</sup> June 49	7922	1	22 Jan: /49
3533	1	20 " "	1549	1	28 " "
4990	1	1 Aug <sup>th</sup> "	3560	1	2 July "
5025	1	1 " "	5439	1	1 Aug: "
8225	1	1 Dec: "	5924-5	2	15 de "
9142	1	1 " "	7605	1	15 Sept: "
			7631	1	15 " "
			7707-9	3	" " "
			7734-5	2	" " "
			8183-8	6	1 Dec "
			9305	1	1 " "
			9371-2	2	1 " "
			8401-8600	200	1 " "
			8679-8700	22	1 " "
	6			244.	

6 at £2.10.0 each £15.0.0

244 at £5.0.0 each... £1220.0.0

250.

£1235.0.0

(Signed) H. Boys,  
Bursar, K. C.

From  
C. Daley Esq. Secy.  
&c &c

Toronto Oct: 24<sup>th</sup> 1849.

I have the honor by direction of the Trustees for erecting a Market on the late Garrison reserve to enclose a copy of two Resolutions proposed by the



Common Council of the City of Toronto on the subject of the said Market and to request that the College Council who are interested in the improvement of property in the immediate neighbourhood of the market will render their assistance to the Trustees in the erection thereof by advancing so much of the Funds they may have at their disposal as they may be inclined to do towards the object of the Trustees. I beg also to enclose a Copy of the list of persons who have agreed to aid in the matter and a Copy of the accounts furnished by the Trustees for the sum advanced and to acquaint you that the whole amount required to complete the Market and approaches is estimated at One thousand pounds.

I have the honor to be  
Sir,

Your Obedt. Servant  
(Signed) Charles Daly  
Sec'y

To  
Henry Beys, Esq.

N.B. Original letter and document  
filed with the Minutes of Council 26 Decr/49

To  
C. Daly Esq.  
Sec'y:

Kings' College Office  
Toronto 28 Decr. 1849.

Sir,

the Trustees  
of the New  
Market,  
Garrison Common Council

In reference to your letter of the 24<sup>th</sup> October last, I have received directions from the College Garrison Common Council to take shares in the New Market on the Garrison Common to the amount of one hundred pounds; and shall be happy to carry their intentions into effect before the commencement of the new Year, if it suits your convenience.

You will please to inform me



me what proportion of each share is required to be paid down.

I have the honor to be  
Sir/

Your most Obedt. Servt  
(Signed) H. Boys.

Bursar, K. C.

To/  
Charles Daly, Esq:

To/  
Prof<sup>r</sup> Sullivan.

Kings College Office  
Toronto 28 Dec. 1849.

Sir,

I beg leave to acquaint you that the College Council, at their meeting held on the 22<sup>d</sup> Instant, sanctioned your appointment of D<sup>r</sup> Bowel to discharge your duties as Curator of the Anatomical Museum.

I have the honor to be  
Sir/

Your most obedient Servt  
(Signed) H. Boys  
B. K. C.

Memorial

From.

L. O.'Brien M.D.

Profr. of  
Medical  
Jurisprudence.

Gentlemen,

Most of you are probably aware that I was appointed to the Professorship of Medical Jurisprudence in the year, 1845. - accepting it then without any salary, because it was stated that at that time the funds of the University could not bear any additional expenditure, - but also with the distinct understanding, that a salary should be awarded to me as soon as the funds should be considered able to afford it.



I think it will be conceded that a prior appointment indicates a prior claim to salary or compensation for services performed; and that the Council having since that time granted salaries, or remuneration for lectures delivered, necessarily implies that the funds of the University have been able to bear this additional expenditure—

The Council has been pleased to award remuneration most justly earned, to the gentlemen appointed as Lecturers as Clinical Medicine and Surgery—to the amount of £25 each for our season—and for Hilary term 1849 the amount of £30, to each, for ten lectures—and, I presume, will in like manner vote a remuneration to a similar amount, for their services during Michaelmas term just expired— If I am rightly informed these gentlemen gave their Clinical lectures this season, not under any new appointment, but under that made by the Council prior to Hilary term 1849; and consequently we may assume that this appointment is held to be permanent unless rescinded by the same, or a similar authority.

I humbly submit that in view of the above mentioned proof of the funds of the University being able to bear this additional expenditure, the Council will feel that as holding a Professorship in the University under a Statute, several years prior to the establishment of the Clinical lectures, I am entitled to the benefit of a salary prior to any Professor or Lecturer subsequently appointed— And that if compensation or remuneration be made to subsequently appointed lecturers



Lecturers, I, in like manner, ought to be held as entitled to similar compensation for similar services. -

Having heard it remoured also that a proposition was before the Council that a suggestion should be made to His Excellency the Chancellor to send down to the Council for consideration, statutes for the establishment of Clinical Professorships and attaching Salaries thereto. I conceive it only a duty to the appointment I have the honor of filling, and to myself, to point out respectfully to the Council that as a matter of right and justice, a salary ought to be attached to the Professorship of Medical Jurisprudence, prior to, or <sup>at</sup> least connected with any salary or compensation being voted for any Professorships or Lecturerships established or appointed since 1845.

I should be very sorry to be considered to impugn the justice of the Council in awarding remuneration to the Clinical Lecturers, whose labours are doubtless well worthy of reward - but if they are justly paid why should I be unjustly passed over?

I beg to observe that the number of lectures that I have given amount to not less than seventy.

I submit very respectfully the provisions to the consideration of the Council, and I trust that in the event of any claim being laid before them, or any vote, resolution or Statute being submitted to them for granting salary or remuneration to any professors or lecturers appointed since 1845, my claims may be taken into consideration, and a salary or other compensation in due proportion to any



any hitherto awarded may be made to me, for lectures delivered, either prior to or concurrent with such other Salary or remuneration as they may think right to vote to other gentlemen

I remain

Gentlemen

Your very Obedt. Servt

(Signed) Lucius O'Brien

Prof. of Med: Jurisprudence

Kings College

Toronto.

December 28<sup>th</sup> 1849.

Kings College Office

Toronto 28<sup>th</sup> Dec: 1849.

To  
L. O'Brien M.D.  
Professor of  
Medical

Sir/

jurisprudence. I beg leave to acquaint you that your letter of the 21<sup>st</sup> inst: was read in the College Council at their meeting on the 26<sup>th</sup> inst: when the Council were of opinion that they had no authority to assign a salary to any officer created by Statute, or to remunerate duties discharged under Statute; unless a Statute for that purpose were first proposed by His Excellency the Chancellor and sanctioned by the Council.

I have the honor to be

Sir

Your Obedt. Servant

(Signed) H. Boys

Bursar, K.C.

From  
H. Ridout, Esq.  
Cashier  
B.N. C.

Bank of Upper Canada  
Toronto 28<sup>th</sup> Dec: 1849.

Sir,

I have duly received your favor of yesterday enclosing Government Debentures for £1235 which I have entered for safe keeping and collection on account of

of Kings' College -

I am Sir  
Your Obedt. Servant  
(Signed) Thos. G. Bidart  
Cashier.

From  
Charles Daly Esq My dear Sir

Toronto Jan<sup>y</sup> 4<sup>th</sup> 1850

I enclose the Script and will  
thank you to be so good as to return the check  
by Beaver, as I have a demand on account of  
the Market to meet to day

I am Sir  
(Signed) Charles Daly

To  
Charles Daly Esq

University Office  
Toronto 4<sup>th</sup> Jan<sup>y</sup> 1850

Sir,

I beg to acknowledge the receipt of  
your letter of this date enclosing the Script of  
four Shares in the New Market on the Garrison  
Reserve, and now enclose you a Cheque on the  
Bank of Upper Canada for £100 - being the  
amount of the said Shares.

I request you will be so kind as to acknowledge  
the receipt of the cheque, as your letter will serve  
as a Voucher in my Cash Account.

I remain Sir  
(Signed) H. Boys

To  
the Priv<sup>t</sup> Secretary Memorandum 5<sup>th</sup> Jan<sup>y</sup> 1850 - sent to the Private Sec<sup>y</sup>,  
the Minutes of Council of the 22<sup>d</sup>; 26<sup>th</sup> & 29<sup>th</sup> Dec<sup>r</sup> 1849.

To  
Rev<sup>d</sup> G. Maynard.  
M. C. C.

University Office. Toronto  
12<sup>th</sup> January 1850.

Sir,

I have the honor to inform you  
that your letter of the 22<sup>d</sup> November addressed  
to the Council of Kings College was taken into



consideration by that body at their meeting held on the 29<sup>th</sup> December, when I received directions to acquaint you that the Council cannot interfere, as any action in the matter, cannot be taken after January 1<sup>st</sup> by the New Government of the College.

I have the honor to be  
Sir.

Signed) H. Bays,  
Bursar.

From  
J. G. Ridout Esq.  
Cashier -

Bank of Upper Canada, Toronto  
February 18<sup>th</sup> 1850

Dear Sir,

The enclosed letter was received yesterday, - and I beg to mention that on the 25<sup>th</sup> January Mr. A. King, deposited with our Agents in London £960 Sterling for use of Col: Mills - for use of King's College.

Yours truly

Signed J. George G. Ridout.  
Cashier,

Yd  
H. Bays Esq.

To the  
Chancellor,  
President, &c  
King's College  
Toronto.

Loyds  
London 24<sup>th</sup> January 1850

Gentlemen,

I have this day paid to the Agency for the Bank of Upper Canada (Messrs. Glyn & Co) for your account, the sum of Nine Hundred and sixty pounds Sterling, which amount I request may be appropriated to the part liquidation of a Debt due to you by Lieut Colonel Mills of Davenport near Toronto.

I have also to beg the favor of your reply acknowledging receipt thereof to,

Gentlemen

Your Obedt. Servant  
Signed) Richard King



To  
J. G. Ridout, Esq.  
Cashier  
B. H. C.

University Office. Toronto  
February, 20<sup>th</sup> 1850.

Dear Sir,

With reference to your letter of the 18<sup>th</sup> Inst. I am directed to request you will place the sum therein mentioned to the credit of the Council of Kings College, and that you will inform me the amount it produces in currency that I may be enabled to give the proper credit to Col. Wells.

I remain -

Yours &c

Signed, H. Boys  
Bursar, &c.

From  
J. G. Ridout, Esq.  
Cashier  
B. H. C.

Bank of Upper Canada  
Toronto 24<sup>th</sup> February 1850

Sir,

In compliance with the instructions contained in your letter of yesterday date, I have this day transferred the deposit of £960 Sterling, made by R. King in London on the 25<sup>th</sup> ulto. to the credit of Kings College at 11 1/2 per Cent premium making in all the sum of £1189. 6. 8 currency, and for which, you can account to the Hon<sup>ble</sup> Col. Wells as Mr. King directs.

I have the honor to be

Sir

To  
H. Boys, Esq.

Signed, Jas. G. Ridout  
Cashier

From/  
J. G. Ridout, Esq.  
Cashier  
B. of H. C.

University Office  
Toronto 24<sup>th</sup> March 1850

Sir/

I have the honor to request that you will receive into the Bank of Upper Canada, for safe custody and



and management, the Provincial  
Debentures sent herewith amounting  
to one hundred and fifteen pounds, cur-  
rency (£115.0.0) as detailed in the ac-  
companying list, belonging to the  
University, for which please to return  
me the usual acknowledgement.

I have the honor to be  
(Signed) H. Brys,  
Bursar.

List of Provincial Debentures belonging to the  
University of Toronto, placed this day in the Bank  
of Upper Canada for safe custody and management.

N <sup>o</sup> of the Debenture	Date of the Debenture	N <sup>o</sup> of Deb <sup>t</sup>	Am <sup>t</sup> .	N <sup>o</sup> of the Debenture	Date of the Debenture	N <sup>o</sup> of Deb <sup>t</sup>	Am <sup>t</sup> .
Debentures of £2.10.0 each.				Debentures of £5 each.			
7403	15 Sept: 49	1		7410	15 Sept: 49	1	
8287	1 Dec: "	1		7579	" " "	1	
8872	" " "	1		8612	1 Dec: "	1	
9069	" " "	1		8613	" " "	1	
9690	15 " "	1		8658	" " "	1	
9727	" " "	1		9327	" " "	1	
9747	" " "	1		9819	15 " "	1	
9821	" " "	1		8315	31 " "	1	
9875	" " "	1		8336	" " "	1	
8118	31. " "	1		410	1 Jan: 1850	1	
8848	" " "	1		428	" " "	1	
8849	" " "	1		499	" " "	1	
121	1 Jan: 1850	1		500	" " "	1	
315	" " "	1		1049	8 Feb: "	1	
332	" " "	1				14	£70.0.0.
411	" " "	1					
420	" " "	1					
809	8 Feb: "	1					
		18	£45.0.0				

18 Debentures at £2.10.0 each £45.0.0  
14 Do. " £5.0.0 each 70.0.0  
U. Office - 21<sup>st</sup> March - 1850 (Sig<sup>d</sup>) H. Brys Bursar. £115.0.0

From  
J. G. Midant, Esq  
Cashier  
B. M. Co.

Bank Upper Canada  
Toronto, 21 March 1850.

I have to own your favor of  
this date enclosing £115 in Government  
debentures which are entered for collection  
on account of the University.

I am Sir

To/  
H. Boys, Esq.

Signed/ J. G. Midant  
Cashier

To  
J. G. Midant, Esq  
Cashier  
B. M. Co.

University Office, Toronto  
April 1<sup>st</sup> 1850

Sir,

I have the honor to request that  
you will receive into the Bank of Upper  
Canada for safe custody and management  
the Provincial Debentures sent herewith  
amounting to One hundred and fifty pounds  
currency (£150/-) as detailed in the accompan-  
ing list, belonging to this University, for which  
please to return me the usual acknowl-  
edgment.

I have the honor to be

Signed/ H. Boys

Deputy Secy.

List of Provincial Debentures belonging  
to the University of Toronto, placed this day in  
the Bank of Upper Canada for safe custody and  
management.

N <sup>o</sup> of the Debenture	Date of the Debenture	N <sup>o</sup> of Am <sup>t</sup> Deb <sup>ts</sup>	N <sup>o</sup> of the Debenture	Date of the Debenture	N <sup>o</sup> of Am <sup>t</sup> Deb <sup>ts</sup>
Debentures of £20.0 each.			Debentures of £5 each.		
8194	1 Dec <sup>r</sup> 1849	1	8179	1 Dec <sup>r</sup> 1849	1
8625	" " "	1	8204	" " "	1
8642	" " "	1	8328	" " "	1
8664	" " "	1	8339	" " "	1
8725	" " "	1	9141	" " "	1
Carried forward - 5			Carried forward - 5		



		5				5
8787	1 Dec: 1849	1		9394	1 Dec: 1849	
8857	" " "	1		200	15 " "	
8949	" " "	1		267	" " "	
8953	" " "	1		9507	" " "	
8994	" " "	1		376	25 " "	
8613	15 " "	1		8603	31 " "	
9682	" " "	1		492@497	1 Jan 7: 1850	
9698	" " "	1				
9714-9717	" " "	4				
9785	" " "	1				
27	1 Jan: 1850	1				
311	" " "	1				
315	" " "	1				
711	5 Feb: "	1				
1098	1 Mar: "	1				
1144	" " "	1				
1909	" " "	1				
1954	" " "	1				
		26	£65.0.0			17 £85.0.0

26 Debentures at £2. 10. 0 each... £65.0.0

17 " " " " at £5. 0. 0 each... £85.0.0

£150.0.0

Signed. H. Boys,

W. C. Toronto.

Bursar. W.

April 4<sup>th</sup> 1850.

From  
J. G. Ridout  
Cashier  
W. C. B.

Bank of Upper Canada  
Toronto to 4<sup>th</sup> April, 1850—

Sir,

I beg leave to acknowledge  
your favor of the 4<sup>th</sup> inst: enclosing One  
hundred and fifty pounds in Government  
Debentures, to be held by this Bank for  
safe keeping for account of the Council of  
King's College—

To  
H. Boys Esq;

I am Sir &c. &c

(Signed) Jho: G. Ridout  
Cashier

The Council of Kings College in A/C.  
with the Bank of Upper Canada for Interest  
on Credit Balances. from 1<sup>st</sup> April to  
31<sup>st</sup> December, 1849. — Dr.

1849		Balances £	1849		Balances £
April	1	480		Brought up	54,092
	10	205	Nov	10	4,854
	30	45		20	1,007
May	31	2382		30	1,024
June	10	3730	Dec:	10	1,260
	20	3192		20	1,805
	30	3330		31	1,202
July	10	2803		Divide by 25	90,241
	20	2589		Average £	3 609
	31	2439		9 Months Interest	
Aug:	10	3756		at 30% per annum	
	20	3603		on £3609. £	81.3.
	31	3371			
Sep:	10	3253		Eighty one pounds	
	20	3345		three shillings and	
	30	3548		seven pence credited on A/C.	
Oct:	10	3222		Bank of Upper	
	20	3677		Canada -	
	31	4720		Termino 11 <sup>th</sup> April, 1850.	
		Carried up		(Signed) Jas. G. Ridout	
		54,092		Cashier.	

From  
The Rev<sup>d</sup> J. J. Lundy

Sir

Hamilton April 18<sup>th</sup> 1850

I addressed a Note to you on Monday complaining  
that I had not received due notice of the meeting of the  
Convocation of the University of Toronto which was held on  
Monday last the 15<sup>th</sup> the notice I received having been  
posted on the 13<sup>th</sup> and after one o'clock.

I now perceive by the Public Journals that there  
was a previous meeting of Convocation, of which I received



no notice whatever

I judge it to be only fair that all the Members of Convocation should receive notice (in due time) of all the Meetings, unless indeed there are any who would intimate to you a desire not to incur the expense of Postage, and I hope that in future, you will not neglect to forward the usual notice to me, as you do to those members who reside in the City of Toronto

I remain, Sir  
Your obedient humble servant  
J. J. Lundy

To Dr. Boys  
Registrar  
University of Toronto

M. T. Toronto 20<sup>th</sup> April 1850

To  
The Rev J. J. Lundy Sir

In answer to your letter of the 13<sup>th</sup> Inst. I beg to inform you that I have nothing to do with the forwarding of the Notices to the Members of Convocation, except that I have prepared these Notices for the Pro. Vice Chancellor, at his request, who signs them and sends them off. My part of the business has been invariably performed as soon as the necessary instructions have been furnished me, and I can answer for this, that a Notice has been prepared with your address to it, on every occasion and that as far as I am concerned nothing untoward has ever been practiced towards you. I hope you will perceive that your accusation of neglect on my part is unjust.

The Note you state to have sent me on Monday has never reached me, which shows an irregularity in the Post Office sufficient to account for some of your dissatisfaction in the Convocation notices.

I remain, Sir  
Your obt. humble servant  
J. J. Boys.

P.S. After writing the above letter your Note of Monday was delivered to me through the Post Office





## List of Adventures continued

Expenditures of £2.10					Expenditures of £5				
Numbers	Date	Amount	Numbers	Date	Amount				
	Ambr. fund	£ 85		Ambr. fund	£ 150				
3167	31 <sup>st</sup> Dec. 49	1 2 10	8346.8997	31 <sup>st</sup> Dec. 49	3 15				
450.434	1 <sup>st</sup> Jan. 50	4 10	8857						
429.324	31 <sup>st</sup> " "	1 2 10	449.480	1 <sup>st</sup> Jan. 50	4 35				
6.	5 <sup>th</sup> July "	6 15	502.543						
781.778	8 <sup>th</sup> " "	2 5	558.568						
642.579	1 <sup>st</sup> May "	1 2 10	645.						
528.624									
836.892									
1279.									
		£ 122 10			£ 200				
					122 10				
					322 10				

U. Office, Toronto

A. Offin, Toronto  
2d

3<sup>d</sup> August 1860

To  
Mrs. G. Radnor Esq. Sir.  
Foster St.

I have the honor to request that you will receive into the Bank of Upper Canada for safe custody and management, the provincial debt certificates sent herewith belonging to this University amounting to three hundred and twenty two pounds ten shillings currency, as detailed in the accompanying Schedule

I am in  
J. H. Boye  
Burlington









































